of the

OFFICE OF ADMINISTRATIVE PROCEED

1958

A Unit
of the
OFFICE OF LEGAL COUNSEL
DEPARTMENT OF JUSTICE

Washington, D. C.

ministrative Procedure covers the year ending December 31, 1958.

Part I contains a summary of the major activities of the Office during the year. In this area the most significant development has been the growing frequency of requests for informal advice and opinions in the course of agency revision or promulgation of rules and regulations, and in the preparation of legislative proposals having a bearing on administrative procedures.

Part II is the statistical section of the report. The tables set forth certain fundamental information on backlog, volume, and time with respect to proceedings pending before 21 Federal departments and agencies during fiscal year 1958.

The statistics in Tables 7 through 12, relating to the hearing examiner function, are similar to those compiled in the 1957 Annual Report and have been set forth in a manner permitting comparison. In addition, the scope of the study was enlarged to include certain basic statistics relating to the period prior to the assignment of proceedings to hearing examiners and to their processing by the agencies after disposition by hearing examiners (Tables 1 through 6).

In speaking of judicial statistics, Chief Justice Stone said: "The statistical method of dealing with social problems often cannot be relied upon as a mathematical demonstration leading to spoken conclusions, but it may be used to indicate tendencies, to mark out the boundaries of a problem, and to point out the directions to be given to a particular investigation of a non-statistical character." It is in this context and with this purpose in mind that these tables have been compiled.

SCORE A.

In carrying out its responsibilities and in the preparation of this report, the Office acknowledges the helpful assistance provided by the Bureau of the Budget and expresses its appreciation to the departments and agencies for their continuing support and cooperation.

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- Myer S. Lipps

Veterans' Administration

[Order 142-57]

Establishment of Office of Administrative Procedure

Establishment of Office of Administrative Procedure.

1. There is hereby established in the Department of Justice an Office of Administrative Procedure which shall be a component of and under the administrative supervision of the Office of Legal Counsel.

<u>Director</u>. 2. The Office shall be headed by a Director who will act in an advisory capacity in carrying out the purposes of the Office.

Purposes of the Office. 3. With a view to achieving improvements in administrative procedures within the Executive departments and agencies of the Federal Government, the Office shall:

- (a) Carry on continuous studies of the adequacy of the procedures by which Federal departments and agencies determine the rights, duties, and privileges of persons;
- (b) Initiate cooperative effort among the departments and agencies and their respective bars to develop and adopt so far as practicable uniform rules of practice and procedure;
- (c) Collect and publish facts and statistics concerning the procedures of the departments and agencies;
- (d) Assist departments and agencies in the formulation and improvement of their administrative procedures.

Cooperation by Departments and Agencies, the Bar, and other interested persons. 4. The Director, in consultation with the Attorney General, is authorized to make appropriate arrangements for securing the cooperation and advice of representatives of the departments and agencies, the bar, and other interested persons in connection with the performance of his duties.

Reports. 5. The Director shall render an annual report for circulation to the departments and agencies, and such other reports as the Attorney General may from time to time request.

Dated: February 6, 1957.

Herbert Brownell, Jr., Attorney General

[22 F.R. 998]

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PART I

ORGANIZATION AND STATISTICAL SUMMARY

The Office of Administrative Procedure, headed by a Director, is a component of the Office of Legal Counsel in the Department of Justice. Through continuing studies, the collection and dissemination of facts and statistics, and advisory services it is the purpose of the Office to seek improvement in the administrative procedures whereby the Executive departments and agencies determine, either by rulemaking or adjudication, the rights, privileges and duties of members of the public.

To assist in carrying out these responsibilities, each of 48 departments and agencies has cooperated with the Office by designating a responsible staff officer to maintain official liaison. This arrangement not only serves as a point of contact with the agencies, but provides the Office with current information relating to the major activities of the respective agencies in the field of administrative procedure. The Office is also in frequent contact with bar associations, specialized agency bar groups, and other organizations and individuals interested in administrative practice and procedures.

During 1958, 117 assignments were processed by the Office, falling into the following general categories: 43 reviews of legislative proposals, 23 special assignments, 21 interagency studies and advisory opinions, 14 rulemaking proceedings, and 16 interagency conferences. In addition, a number of requests for advice and assistance were handled on a day-to-day informal basis. The range of these assignments extends from study and advice with respect to possible change in one rule to the revision or preparation of

rules for the conduct of agency hearings. They include assistance in the drafting of legislation and the providing of views on the form and legality of such proposals.

RECOGNITION AND DISCIPLINE OF ATTORNEYS

One of the early recommendations of the Office was a proposal that all agencies dispense with formal admission procedures for attorneys and adopt in lieu thereof a proposed uniform rule which would make eligible to practice any person who is a member in good standing of the bar of the Supreme Court of the United States or of the highest court of a state, territory, insular possession, or District of Columbia and is not under a court order suspending, enjoining, restraining, disbarring, or otherwise restricting him in practicing law. At the time the recommendation was made 10 agencies had rules for formal admission of attorneys. During 1958, the Board of Immigration Appeals and the Immigration and Naturalization Service eliminated their formal procedures for the admission of attorneys to practice before them, (See 8 C.F.R. Pt. 292, 23 Fed. Reg. 2670.) This means that with the exception of the Interstate Commerce Commission, the Patent Office (patent cases), the Treasury Department and the Veterans Administration, an attorney in good standing may represent others before administrative agencies without further qualification.

However, while attorneys should not be subject to further qualification requirements, it by no means follows that they should be free from regulation by the agencies. Provisions should be made for simple, adequate, and uniform agency rules for discipline of attorneys who are guilty of contemptuous conduct or who fail to live up to the ethical standards of the legal profession.

A suggested uniform rule on discipline of attorprovisions, is included both substantive and procedural
Also printed is a chart setting forth the provisions of
present agency rules on disbarment of attorneys.

UNIFORM RULE STUDIES

Printed in the Appendix are the texts of the illustrative uniform rules recommended in the Report of the President's Conference on Administrative Procedure on computation of time and appeals from intermediate decisions, together with an analysis of existing agency rules on each subject. This brings to six the number of recommendations of the President's Conference on uniform illustrative rules which have been analyzed to determine the extent of their adoption by the agencies. The President's Conference also suggested uniform rules on presumptions, stipulations and admissions of record in proceedings involving numerous parties, and form and content of decisions. The text of these rules are also set forth.



PART II--STATISTICS ON ADMINISTRATIVE PROCEEDINGS BEFORE DEPARTMENTS AND AGENCIES OF THE FEDERAL GOVERNMENT

Upon recommendation of the President's Conference on Administrative Procedure, the Attorney General has directed, as one of the functions of this Office, the collection and publication of facts and statistics concerning administrative procedures of the departments and agencies of the Federal government. Initial compliance with this directive last year resulted in the publication as a part of our 1957 Annual Report of nine tables which provided fundamental information relative to formal proceedings before hearing examiners appointed pursuant to Section 11 of the Administrative Procedure Act in the 21 departments and agencies which regularly employ such examiners.

In further performance of this function and foruse in connection with continuing studies of the adequacy and efficiency of administrative procedures, there are presented in the twelve tables which follow additional and somewhat more comprehensive data relative to the same kinds of formal proceedings before the same 21 departments and agencies covered in the 1957 report.

This report, like the 1957 report, is limited to administrative proceedings in which:

- (1) opportunity is afforded for hearing before an APA Sec. Il examiner, and
- (2) such examiner, in normal course, prepares a decision or initial or recommended decision.

Thus proceedings wherein hearings are conducted by the agency itself, or by members of its staff other than APA examiners, are not included. Also, these tables (with the exception of Table 12) do not include proceedings in which, in ordinary course, the examiner merely conducts the hearing and certifies the record to the agency foraction, without the examiner's having to prepare an initial or recommended decision.

The tables in last year's report were limited further as to the stages of proceedings for which data were reported. The 1957 tables encompassed only so much of the above-described proceedings as was in the hands of hearing examiners, thereby excluding whatever stages preceded assignment of a case to an examiner as well as agency consideration of the matter following the examiner's decision.

Only the second part of the tables presented herewith (Part B, Tables 7-11) are subject to this limitation. Tables 7-11 represent a continuation of last vear's report relative to process before hearing examiners. Part A of these statistics for fiscal 1958 (Tables 1-6) enlarge upon the information furnished last year by including all stages of proceedings described in (1) and (2) above, from commencement to final agency disposition. More specifically, if a proteeding was pending in any stage at any time during he fiscal year, information thereon is included in Part A of these tables. If it was in the hands of a hearing examiner at any time during the year, additional information concerning its handling by the examiner, similar to the information in last year's tables, is included in Part B,

As used herein, the term 'proceeding' means a matter which in normal course is referred to an xaminer for evidentiary hearing, by oral or written resentation, and for recommended or initial decision y him, even though it may be a consolidated proceeding involving more than one petition, application, or complaint. Therefore, although a matter may involve several claimants, applicants, or respondents and several docket numbers, if it looks toward resolution by means of a joint hearing and a single decision inding upon all parties, it is reported as one 'proseeding.'

The question of when a matter becomes a ''proceeding', that is, when it is commenced, for purposes of this report is important in connection with Part A. Under some administrative procedures, a proceeding as herein defined is commenced upon the filing of a complaint, petition, application, etc., as in the case of court actions. These are cases in which opportunity

for hearing ordinarily is afforded on every petition or complaint filed. For purposes of this report these cases are counted as proceedings from the date of initial filing, and the age of such proceedings is computed from that date.

Other procedures do not necessarily contemplate hearing in every case. For example, depending upon statutory authority, petitions or applications are often subject to summary administrative grant or denial without hearing, and are designated as proceedings in which there will be a hearing only where issues are presented which preclude summary administrative determination. These matters are not counted as proceedings for the purposes of this report until they reach the point where a determination is made that they are to be resolved in ordinary course by the hearing process. In these cases, the date of that determination, whether it be by designation for hearing, entry upon the hearing docket, or referral to the office of hearing examiners, is considered the date upon which the proceeding was commenced, and its age is computed therefrom.

The division into types of proceedings which is employed in these tables is a division made by the reporting agencies, although the characterizations have been abbreviated for purposes of the tables.

The separate listing of data by agency and by type of proceeding within each agency may tend to encourage comparisons between agencies and types of proceedings. Although it is believed that the information presented affords some opportunity for valid and useful comparison, obviously any comparison should be attempted only with full recognition of the many significant differences among the various agency proceedings.

PART A

Table 1 is intended to provide a general view of the entire "formal case" process in terms of each agency's volume and backlog, by type of proceeding. The first column indicates the number of pending cases with which each agency began the fiscal year,

whatever their stage of completion. The second and third columns report the year's input in new cases and cases which at some time had been closed but which, during the fiscal year, were reopened. The fourth column shows the output, and the fifth column shows the balance remaining at the end of the fiscal year. The grand totals at the end of the table demonstrate that there were 16,582 proceedings of all types in process before the 21 reporting agencies on July 1, 1957, that 32,783 proceedings were commenced or reopened during the fiscal year, that 25,824 were closed during that time, and that a balance of 23,541 proceedings were still pending on June 30, 1958.

It is to be noted that although the total number of pending cases of all types increased from 16,582 at the beginning of the fiscal year to 23,541 at the end of ne year, an increase of 6,959 cases, 5,473 of these ases were appeals from benefits rights determinations in the Social Security Administration due to the xtension of disability insurance benefits under the 956 amendments to Title II of the Social Security Act. If the 23,541 proceedings pending at the end of the year, 14,355 were Social Security cases. Eliminating the Social Security cases from the grand total figures, there were 9,186 proceedings pending at the end of the year, which represented an increase of 1,486 over the number pending at the beginning of the year.

The major increases in pending cases, other than Social Security cases, were in the Federal Power ormanission (from 426 to 956), Federal Communications Commission (from 97 to 169), Agriculture epartment (from 65 to 100), Federal Trade Commission (from 262 to 326), and Interstate Commerce ormanission (3,349 to 4,069).

The total number of cases closed during the fiscal ear 1958 by all 21 reporting agencies was 25,824.

Table 2 demonstrates the age of proceedings pending at the end of the fiscal year. The age of each case was measured from its commencement, as that erm is described above. The demonstration is by age rouping, since it is felt that this technique is perhaps indicative than average or median figures.

Data as to age of proceedings are not available for Social Security cases or for Indian probate matters before Examiners of Inheritance in the Interior Department. Of the 7,505 cases pending on June 30, 1958, for which age data are available, more than one half (53%) were less than 6 months old, slightly less than one quarter (24%) were more than 6 months old but not more than one year old, 13% were over 1 year old but not over 2 years old, and the remaining 10% were almost evenly divided between the 2 to 3 years old and over 3 years old columns.

Table 3 indicates the manner in which the agencies disposed of the 25,824 proceedings which they closed during the fiscal year. The number of proceedings decided on the merits by agency final decision after hearing and decision by an examiner was 2,843, or 11% of the total, and an additional 1,205 (4.6%) were decided by the agencies without initial or recommended decision by an examiner. Of the latter group, 995 were Interstate Commerce Commission cases and 115 were National Labor Relations Board cases. In more than one half of the proceedings closed during the year the examiner's decision became the final decision of the agency without review by the agency (13,198 proceedings, or 51% of the total). Of these, 7,944 were Social Security cases, 1,611 were Indian probate matters, 1,424 were Interstate Commerce Commission cases, and 1,405 were cases before Coast Guard examiners. A total of 7,953 proceedings (31%) were dismissed or withdrawn without decision on the merits. This figure does not include cases which were disposed of by default, consent, settlement, or compromise.

Tables 4, 5 and 6 are concerned with the 2,843 proceedings mentioned above which were disposed of after hearing, examiner decision, and agency final decision, and provide information relative to the time involved in the disposition of such cases.

Table 4 illustrates the over-all time that such matters were pending, from commencement to final closing. These data are not available for the 328 Social Security cases which were taken up from the examiners to the Appeals Council. Of all of the other

types of proceedings, 9% were disposed of within 6 months after their commencement, 42% required from 6 months to a year, 39% were disposed of in periods of from 1 to 2 years, 6% took from 2 to 3 years, and 4% required more than 3 years.

Table 5 demonstrates the periods of time these proceedings were pending after their commencement, before they were assigned to examiners. Five agencies assign all proceedings to examiners at the time the proceedings are commenced. These agencies are the Federal Trade Commission, Social Security Administration, Bureau of Indian Affairs. Office of Alien Property, and the Coast Guard. The Civil Aeronautics Board makes such assignments in safety enforcement proceedings. Of the 2.842 proceedings closed during the year by agency final decision after an examiner's decision, 21% were assigned to examiners at the time they were commenced, 22% were assigned in 1 month or less, 33% in 1 to 3 months, 17% in 3 to 6 months, 5% in 6 to 12 months, and 2% were pending more than l vear before they were assigned.

Table 6 reports the periods of time during which hese same proceedings were under advisement by he agencies. In computing time under advisement, the period was measured from the date the matter was irst ripe for agency final decision, that is, the time when the presentations to the agency were complete last exceptions to examiner's decision filed, record ertified, etc.), to issuance of the agency's final ecision. Such data are not available for the 328 ocial Security cases appealed to the agency. Of the ,514 proceedings as to which such data are available, 1% were decided within 3 months. The agency's ecisional process required more than one year in % of the cases.

PART B

Tables 7-11 repeat the basic information preented in the statistical tables in the 1957 report and Id corresponding new data for the fiscal year 1958. hey thereby afford comparison of the two years' perience under each item. Part B concerns only those proceedings reported in Part A which at any time during the year were in the hands of hearing examiners. Further, it encompasses only that period in each proceeding when it was in the hands of the examiner, from the date of assignment of the proceeding to an examiner to the date its pendency before him terminates, regardless of whether that termination ultimately disposes of the proceeding insofar as the agency is concerned.

Table 7 gives the number of proceedings of each type for each agency pending before examiners on July 1, 1956 and July 1, 1957, input during each of the fiscal years 1957 and 1958 in terms of new cases assigned to examiners and cases remanded or reassigned to examiners, examiners' output during each year, and the balance still pending on June 30, 1957 and June 30, 1958.

Although comparison of the total number of proceedings pending at the end of fiscal 1957 with the number pending at the end of 1958 would seem to indicate a substantial increase in backlog, this increase, as in Table 1, is due for the most part to th influx of new cases before the Social Security Administration. Eliminating Social Security cases, th totals reflect an increase from 4,556 proceeding pending at the beginning of fiscal 1958, to 4,91. pending at the end of the year, or 7.8% increase. The number of proceedings other than Social Security proceedings disposed of by examiners during the year decreased from 10,518 in 1957 to 9,412 in 1958, a drop of 11.7%.

Table 8 demonstrates how long proceedings in the hands of examiners at the end of each year had been pending before examiners. In each case (except as noted in footnote 4) the period of time was measured from date of assignment to the examiner to June 30 Except for Social Security proceedings and Interio Department Indian probate cases, as to which these data are not available, approximately 10.9% of the cases before examiners at the end of the year had been assigned to examiners for over a year, as against the corresponding figure of 10.5% for fiscal 1957.

Table 9 shows the manner in which pendency of proceedings before hearing examiners was terminated during the fiscal years 1957 and 1958. Of the 22,736 cases disposed of by examiners during 1958, 16,278, or 71.6%, were decided on the merits after hearing, and 5,218, or 23% (of which 4,962 were Social Security cases), were dismissed or withdrawn without decision on the merits.

Table 10 concerns only proceedings disposed of by examiners during the fiscal years 1957 and 1958 by decision on the merits after hearing, and demonstrates as to those proceedings the overall time the matter was in the hands of an examiner, from assignment to an examiner to decision by him. Of the proceedings for which such information is available for 1958, 53% were disposed of within 3 months of the date of assignment to the examiner, and less than 1% required more than 2 years. By comparison 58% were isposed of in 3 months or less in 1957.

Table 11 reports, for the same proceedings, the time under advisement by an examiner. For this surpose time under advisement was measured from the date of final submission of the matter to the examiner for his decision (last proposed findings and brief filed, etc.) to the date the examiner's decision was issued. In 1958, 34% of the proceedings reported in Table 11 were decided by examiners in 1 month or 'ess, 84% in 3 months or less, and 96% in 6 months or ess. The corresponding figures for 1957 are 40% within 1 month, 79% within 3 months, and 97% within 5 months.

Table 12, except as to the column showing the verage number of decisions per man-year, goes eyond the limitations described above relative to ypes of proceedings, and considers generally the imployment of examiners in all kinds of cases. Inder the first heading the table shows the total umber of examiners employed at the beginning of each of the fiscal years 1956, 1957, and 1958. Of the otal employed on July 1, 1958, 160 were in grade GS-15, 61 were GS-14, 109 were GS-13, and 10 were GS-12.

Figures in the column showing man-years of examiner time available to each agency during the fiscal years 1957 and 1958 take into account interagency loans of examiners as well as separations from and entrances upon service.

For purposes of the column which shows the average number of days per man-year spent by examiners presiding over hearings and pre-hearing or hearing conferences, the agencies were asked to report as a day of hearing any day on which the examiner presided over a hearing or conference, whether for the full day or only part of the day, and whether in one proceeding or more than one. The total number of days thus reported was divided by the agency's man-years figure in the preceding column to provide the figures shown in the column showing average number of days in hearing.

Similarly, figures in the column showing average number of decisions per man-year were computed by dividing, for each agency, the total number of examiner decisions on the merits after hearing, as shown in the second column of Table 9, by the man-years figure in the second column of this table. The last column shows the number of cases assigned to an examiner with the intention that he not issue a decision but instead merely conduct the hearing and certify the record to the agency for its decision. This column does not include cases wherein the examiner would have issued a decision but for waiver thereof.

PART A - PROCEEDINGS PENDING BEFORE FEDERAL AGENCIES DIRING THE FISCAL YEAR 1958

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS

| TYPES OF PROCEEDINGS REPORTED BY THE ACENCIES | Number of cases pending July 1, | New cases commenced during fiscal year 1958 | Closed cases reopened during the year | Cases closed during fiscal year 1958 | Balance pending on June 30, 1958 |
|---|--|---|---|--|--|
| AGRICULTURE DEPARTMENT AMA marketing order contests, | | | | | · |
| 7 USC \$608c(15)(A) | 19 | 1,4 | 1 | 14 | 19 |
| Ush and for cease and desist orders, 7 USC §§13a,193,211 | 7 | 14 | 1 | Ø | 10 |
| P&S license revocation or suspension and cease and desist orders. | | | | | |
| 7 USC §\$204,205,213,218d | 30 | 62 | l | 36 | 56 |
| P&S rate determinations, 7 USC §207 | 7 | 29 | 1 | 32 | |
| PACA license denial, 7 USC §499d | <u></u> | 7 | 1 | 5 | 1 |
| CEA suspension or revocation of | - | | | | • |
| registration and suspension of | | | | | |
| trading privileges, 7 USC §§6g,9 | 7 | 7 | 1 | - | 7 |
| CEA susp. of trading priv., 7 USC §9 | 1 | e | ' | | 1 2 |
| PACA lic. susp. or rev., 7 USC §499h | ຕ | 6 | , | 7 | |
| TOTALS | 9 | 139 | 1 | 104 | 100 |
| CIVIL AERONAUTICS BOARD Route licensing, 49 USC 8481 | 216 | 50 | ı | 65 | 216 |
| Foreign permits, 49 USC §482 | 82 | בַל' | 1 | 96 | 23 |
| Adequacy or service, 49 USC \$484 | E7 | | - | 7 | - |

| 22 15 2 2 20 27 | 40 94 182 657 | ú | | 169 | 32 7 - 39 |
|--|--|--|--|--------|---|
| 17 17 6 - 22 6 | 28 196 498 877 | - | | 111 | 13 5 19 |
| 811111 | - 9 10 21 | • | | 2 | 1111 |
| 1 2 2 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 | 34 202 500 873 | 2 | | 181 | 13 |
| 31 9 1 22 22 | 34 79 170 640 | | | - 26 | 32 12 44 |
| Mail rates, 49 USC §486 Carrier relations, 49 USC §§488,489 Agreements, 49 USC §492 Exemptions, 49 USC §496 Commercial rates, 49 USC §642 Econ. enf., 49 USC §§425,495,641,642 | Medical review, 49 USC §552 Safety enforcement, 49 USC §559 Safety enf. non-hearing, 49 USC §559 TOTALS | CIVIL SERVICE COMMISSION Hatch Act violations, 5 USC §118k | FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC §§309,312,316,325,405,406 Common carrier services, 47 USC §§204,205,214,221,222 Safety & spec. services, 47 USC §359 Field eng. & mon., 47 USC §303(m)(2) | TOTALS | FEDERAL -MARITIME -BOARD Regulatory, 46 USC §§813,822,845,861,891,1101 Subsidy, 46 USC §1101 Charter, 5 USC App. §1738 TOTALS |

(Footnotes at end of table)

AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont 'd.)

| | Balance pending on June 30. | | 851 | | 37 | 7 | 97 | r −-l | | 9 | 1 | 7 | Н | e-l | 986 |
|------------|---|-----------|--|--|-------------------------------|-------|--|---|--------------------------------------|---|------------------------------------|---------------------------------------|---|---|--------|
| | Cases closed during fiscal | year 1958 | 12 | 7 | 1 | | 22 | 0 | 1 | 러 | ı | 'n | ı | 2 -1 | 55 |
| | Closed cases reopened during | the year | 7 | ı | ı | н | ო | ı | ı | 1 | ı | r=t | 1 | ıH | 13 |
| | New cases commenced during fiscal | year 1958 | 530 | 1 | 12 | 4 | 18 | rf | ı | 2 | I | 2 | rlс | 4 1 | 572 |
| M. in h on | of cases pending July 1, | 4737 | 326 | 11 | 25 | 4 | 47 | 0 | 2 | ы | 1 | 7 | IH | r= | 426 |
| | TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | | NGA §4(e) investig., 15 USC §717c(e) NGA §§4(e),5(a) new schd. susn. Arate | determ., 15 USC \$\$717c(e),717d(a) NGA \$5(a) cost and rate | ations, 15 US extension of | ٦ _ ' | NGA §§7(a), (c) ext. of fac. & constr. | Gerrits., 15 USC §§\$717f(a),717f(c) NGA §§3,7(c) export and import appl- | MGA §§7(b), (c) constr. or aband. of | Serv. certif., 15 USC \$§717f(b),(c) NGA §7 certificates other than §7(c) | FPA §4(e) water power construction | FPA §§4(g),23(b) land occup. & navig. | FPA \$205 rate determs., 16 USC \$8797g,817 | FFA rule making, 16 USC \$824e FPA rule making, 16 USC \$825h | TOTALS |

| | | _ | - | | | | | | | | | | | | _ |
|--|--|----------------|---|-----------------------------|---|-------------------------------------|--------------------------|--------------------------|--------------------------------------|------------------------------|-------------------------|-------------------------------------|--------|--------------------------|----------------------------------|
| 326 | | t | | 14,355 | | 1 | 169 | 29 | - | | 120 | 80 | 327 | | 1,681 |
| 291 | | - | 1 | 13,234 | | | 109 | 15 | 80 | | 79 | 2 | 213 | | 1,623 |
| 1 | | - | | 173 | | ¢ | 7 | 1 | 1 | | ı | 1 | 3 | | |
| 354 | | t | | 18,534 | | | 134 | 13 | 2 | | 19 | 7 | 217 | | 1,679 |
| 262 | | - | | 8,882 | | 1 | 142 | 31 | | (| 138 | 2 | 320 | | 1,625 |
| Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194 | HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, | 21 USC §355(e) | SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights | determinations, 42 USC §405 | INTERIOR DEPARTMENT BUREAU OF LAND MANAGEMENT | Government contests, 43 USC \$1201, | 30 USC §613(c) (Supp. V) | 30 USC §527(c) (Supp. V) | Placer mining orders, 30 USC §621(b) | Appeals from Range Managers' | decisions, 43 USC §315h | FRC enforcement proc., 43 USC §315a | TOTALS | BUREAU OF INDIAN AFFAIRS | Indian probate, 25 USC §§372,373 |

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont'd.)

| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | Number of cases pending July 1, | New cases commenced during fiscal | Closed cases reopened during the year | Cases closed during fiscal year 1958 | pending pending on June 30, |
|---|---------------------------------|--|---|--|--------------------------------------|
| INTERSTATE COMMERCE COMMISSION | | | | | |
| <pre>Gertifs. of conven. & nec., 49 USC §\$1(19),1(21),6(11),305,909,1010</pre> | 1,977 | 4,571 | ı | 4,037 | 2,511 |
| Finance and transfer of operating authority, 49 USC §§312,912,1010 | 270 | 398 | 22 | 381 | 309 |
| Rates, fares, and charges, 49 USC 886(6),16(1),906(e),908(d),1005 | 1,007 | 2,185 | 82 | 2,284 | 066 |
| Bankrupicy Act reorganizations, 11 USC \$205 | 7 | , | ı | , i | 7 |
| Compliance and rules investigations, | 91 | 239 | 13 | 88 | 255 |
| TOTALS | 3,349 | 7,393 | 117 | 6,790 | 4,069 |
| HISTICE DEPT., OFFICE OF ALIEN PROPERTY | | | | | |
| Claims, 50 USC App. §\$9,32,34 | 138 | 45 | 1 | 8 | 93 |
| LABOR DEPARTMENT Walsh-Healey Act enforc,, 41 USC §39 | 25 | 36 | 1 | 36 | 25 |
| Determinations as to statutory qual- ification to contract, 41 USC §39 | m | Н | | 7 | ı |
| Davis-Bacon Act minimum Wage determinations, 40 USC §276a | 28 | 37 | | 40 | 25 |

| | - | • | - | - | _ | |
|---|-----|----------|---------------|-----------|-----|--|
| NATIONAL LABOR RELATIONS BOARD CA cases (alleged 88(a) unfair prac- | | | · · | | | |
| 9 USC §1 | 182 | 280 | ø. | 253 | 217 | |
| CB cases (alleged §§8(b)1,2,3,5,6 un- | | | | | | |
| fair union pract.), 29 USC §160(b) | 36 | 72 | ı | 28 | 20 | |
| CC cases (alleged §§8(b)(4)(A),(B), | | | | | | |
| (C) union pract.), 29 USC §160(b) | 42 | 84 | ı | 75 | 21 | |
| CD cases (alleged §8(b)(4)(D) unfair | | | | | | |
| union pract.) 29 USC §§160(b),(k) | 2 | 7 | 1 | 4 | ŀΩ | |
| RC cases (pet, for cert, of represen- | | | | | | |
| tatives), 29 USC §159(c)(1)(A)(i) | • | , | ı | ı | 1 | |
| O | 09 | 72 | 1 | 75 | 58 | |
| osn 6 | 2 | 2 | 1 | 4 | ന | |
| osn 6 | 1 | - | 1 | • | н | |
| d) 09188 DSD 6 | | | | | | |
| $\widehat{}$ | S | œ | 1 | 9 | 7 | |
| CA - RD cases (incl. decert, petit.), | | | | | • | |
| 29 USC §§160(b),159(c)(1)(A)(±1) | 6 | • | • | 2 | H | |
| CB - CC cases, 29 USC §160(b) | 7 | 6 | 1 | 12 | 77 | |
| 9 | 2 | n | 1 | 5 | 1 | |
| | 341 | 538 | 6 | 491 | 397 | |
| POST OFFICE DEPARTMENT | | | | | | |
| Fraud & lottery, 39 USC §§259,732 | 50 | 129 | ī | 146 | 38 | |
| "Unlawful" orders, 39 USC §259a | 25 | 31 | 1 | 55 | 2 | |
| Mailability, 18 USC §§1302,1461 | 1 | o, | ı | 6 | 1 | |
| 2nd class applications, 39 USC §232 | 7 | 80 | 1 | 14 | ,(| |
| TOTALS | 82 | 177 | 9 | 224 | 17 | |
| | | | | | | |

TABLE 1 - BACKLOG AND VOLUME DATA BY TYPES OF PROCEEDINGS (Cont'd.)

| | | | | į | |
|---------------------------------------|------------|-----------|----------|-----------|----------|
| | Number | New cases | Closed | Gases | Balance |
| TIPES OF PROCEEDINGS | of cases | commenced | cases | closed | pending |
| KEFOKIED BY THE AGENCIES | pending | during | reopened | during | , do |
| | July 1, | fiscal | during | fiscal | June 30, |
| | | 7501 1230 | tue year | year 1958 | 1958 |
| SECURITIES AND EXCHANGE COMMISSION | | | | | |
| Stop orders (SA), 15 USC \$77h(d) | 12 | 29 | • | ٥٢ | |
| Rev. or susp. of broker-dealer, NASD | | ì | | 3 | 67 |
| member (SEA), 15 USC §§780(b),780-3 | 49 | 57 | ı | - | |
| Suspension or withdrawal of registra- | | ` | ı | 70 | 777 |
| tion (SEA), 15 USC §§78s(a), 78x(b) | 9 | ~ | | • | |
| Approval of sales, acquisitions, ex- | · | 1 | 3 | 'n | 9 |
| emptions, or reorganization plans | | | | | |
| (PUHCA), 15 USC \$\$79e.f.g.i.i.k.r | ~ | , | | , | |
| Exemption or other relief (TCA) | ז | 7.7 | • | 9 | 8 |
| 15 USC \$\$80a-3.6.7.8.17 39 40 41 | r | • | | | |
| IAA reejstration 15 nor cont o | ⊣ (| × | 1 | 'n | 7 |
| Disharmont (at chi) | 7. | m | ı | • | - ຕ |
| Disparment (SA, SEA), 15 USC §§77s, | | | | 1 | າ |
| //sss,78w(a),79t,80a-37,80b-11 | 2 | p=4 | ı | - | |
| TOTALS | 75 | 110 | | ~-{ | 2 |
| | | 777 | • | 97 | 06 |
| SUBVERSIVE ACTIVITIES CONTROL BOARD | | | | | |
| Communist action, front infilterated | | | | | |
| Officerity to the season and | | | | | |
| 1979, 38192, 1928 | 7.7 | ě | 2 | 9 | 000 |
| | _ | | | | , |
| | | | | | |

| TREASURY DEPARTMENT COAST GUARD Suspension or revocation of marine | | | | | |
|--|--------|--------|-----|--------|--------|
| licenses, 46 USC §§239,239b | 171 | 1,516 | ĭ | 1,497 | 191 |
| DIRECTOR OF PRACTICE | | | | | |
| Disbarment or suspension, 5 USC §261 | _ | t | • | ı | ı |
| | | | | | |
| TRS ALCOHOL AND TOBACCO TAX DIVISION | | | | | |
| Permit proceedings, 26 USC §§5304, | _ | | | | |
| 5712,5713, 27 USC §204 | 24 | [| 2 | 9 | 12 |
| | | | | | |
| GRAND TOTALS - 21 AGENCIES | 16,582 | 32,433 | 350 | 25,824 | 23,541 |
| | | | | | |

will be consolidated into a single proceeding. For example, the number of route licensing proceedings pending at the beginning of the year (reported as 216) includes 39 actual promined in advance that a particular docket will be subject to hearing or how many dockets Except for safety enforcement proceedings, all of the data reported by the CAB include actual figures for cases in process, but estimated figures for cases awaiting action. The CAB report explains that the number of proceedings awaiting action and the number of new cases filled are necessarily only judgment figures because it cannot be deterceedings in process and an estimated 177 proceedings awaiting action.

FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available. 2/

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR

| | 2 Donding | ۱ , , | | | | 1 | r-1 | l | 7 | | , | | | . 7 | 1 | 0 | -1 | ∨84 | 106 | | | |
|------|----------------------|--------------------------|---------|------------------------|---------------------|--------------------------------------|--|------------------------------|-----------------------------------|-----------------------------------|---------------------------------|--------------------------------|------------------------------------|--------------------------------------|----------------------------------|--------|-------------------------|-------------------------------|------------------------------|-----------------------------------|----------------|------------------------------------|
| | Over 1 Over | | | | | φ | Н | | 7 | . 1 | | | | 4 | a ,- | 7. | 07 | | 24 | 21 11 | ٠ · | - |
| 10 m | Over 6 | months but not | over 12 | | | ` | 2 | | ന | ' | 1 | | ı | ı | ! +- | 73 | 3 | | 14 | m r | ł | - - |
| | Number | pending 6 months | or less | | • | Φ | vo | | 42 | 1 | 1 | | 7 | 2 | กา | 79 | | Č | 5. 7. | ∩ ⊢ | | |
| | Total | Pending June 30, | 1958 | | ć | Α | 10 | | 99 | ⊣ 1 | | , | 7 | 2 | 5 | 100 | | 316 | 223 | 35 | m | |
| | TYPES OF PROCEEDINGS | REPORTED BY THE AGENCIES | | ACRICULTURE DEPARTMENT | 7 USC \$608c(15)(A) | CEA and P&S cease and desist orders. | / USC §§13a,193,211 P&S license revocation or suspension | and cease and desist orders, | P&S rate determinations 7 ms 2002 | PACA license denial, 7 USC \$499d | CEA suspension or revocation of | registration and suspension of | CEA Sush of tradition of tradition | PACA lic contracting priva, / USC 89 | Time Time of the No. / USC 6499h | TOTALS | CIVIL AERONAUTICS BOARD | Route licensing, 49 USC \$481 | Foreign permits, 49 USC 9482 | Adequacy of service, 49 USC \$484 | Carrior 101-11 | Correct Letalions, by may seven to |

| Agreements, 49 USC \$492 Exemptions, 49 USC \$496 | 15 | I — I V | - 1 г | 0110 | .—(I ∨ | TT Y |
|---|-----|---------|--------------------|--------|---------|-------|
| Commercial races, 49 USC 8042 Fcon. onf. 49 HSC 88425.495.641.642 | 27 | າ ∞ | 2 61 | 74 | рΗ | 7 7 |
| Medical review, 49 USC 6552 | 70 | 12 | 6 | 16 | m | ı |
| . ሧ | 94 | 53 | 31 | 10 | 1 | I |
| Safety enf. non-hearing, 49 USC §559 | 182 | 150 | 31 | П | ı | - |
| TOTALS | 657 | 268 | 100 | 81 | 63 | 145 |
| CIVIT. SERVICE COMMISSION | | | | | | |
| Hatch Act violations, 5 USC §118k | 5 | 4 | 1. | | - | t |
| EDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, A7 MSC 88309 312 316 325 405 406 | | | | | | |
| Common carrier services, 47 USC 68204,205,214,221,222 | | | | | | |
| Safety & spec, services, 47 USC §359 Field one & mon 47 USC §303(m)(2) | | | | | | |
| TOTALS | 169 | 72 | 040 | 31 | 12 | 14 |
| FEDERAL MARITIME BOARD Regulatory, 46 USC §§813,822,845, | ę | • | • | r T | ţ | C |
| 861,891,1101 | 25 | 4 | ٥ | 7 | ., | 00 |
| Subsidy, 46 USC §1101 | 7 | ľ | 1 | 4 | m | ı |
| Charter, 5 USC App. §1738 | 1 | _ | 1 | _ | • | - |
| TOTALS | 39 | 4 | 9 | 15 | 9 | 8 |

(Footnotes at end of table)

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR (CONT'd.)

| | | | Number of | proceedings | | |
|--|---------------------|---------------------|------------|-------------|----------------|-------------|
| | | | | Ortor | Over 2 | Pending |
| | Total | Number | Over b | year | years | over |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | pending June 30, | pending 6 months | but not | but not | but not over 3 | 3 years |
| | 1958 | or tess | 2000 | | | |
| FEDERAL POWER COMMISSION | | | 872 | 174 | 70 | 14 |
| NGA §4(e) investig., 15 USC §717c(e) | TC8 | C 47 | , | | | • |
| NGA §§4(e),5(a) new schd. susp.& rate determ., 15 USC §§717c(e) 717d(a) | 7 | ı | ı | 2 | ~~ | n |
| NGA §5(a) cost and rate | | | α | 7 | 17 | Н |
| determinations, 15 USC §717d(a) | 75 | at- |) | | | |
| NGA 9/(a) extension of facilities | , | ı | ,l | 1 | 1 | |
| MON 57(1) COLUMN TO USC 9/1/1(A) | | | | | | |
| New 9/(c) construction certificates, 15 nsc 87174(c) | 77 | 1 | 3 | <u>۳</u> | <u>о</u> | 31 |
| MGA 687(a) (c) ext of fac t | | | | | | |
| Certifs. 15 HSC 66717#(a) 717#(c) | r-4 | ! | <u></u> | 1 | 1 | 1 |
| NGA §§3.7(c) export and import appl- | | | | | | |
| 5 USC | 2 | 1 |) | 1 | 1 | 7 |
| NGA §§7(b), (c) constr. or aband, of | | | | | · | ~ |
| ų | 9 | l | 1 | 1 | · |) |
| NGA §7 certificates other than §7(c) | | | - | | | - |
| certificates, 15 USC §717f(e) | 1 | | _ | · | | 1 |
| FPA §4(e) water power construction | | | | أمستقيي | | <u>-</u> |
| licenses, 16 USC §797(e) | 2 | 2 | | | <u>'</u> | 1 |
| FPA §§4(g),23(b) land occup. & navig. | | | | | | |
| waters investig., 15 USC \$8797g. 817 | - | 1 | , <u>-</u> | | | • |
| FPA 8205 rate determs. 16 nsc 820.4 | | ,I | • | | | |
| | | _ | ••• | • | • | |

| 956 252 362 186 326 144 78 36 36 326 144 78 36 | 4 | DATA NOT AVAILABLE |
|---|---|--------------------|
| 29 169 169 120 8 | | |

(Footnotes at end of table)

TABLE 2 - AGE OF PROCREDINGS PENDING AT THE END OF THE FISCAL YEAR (Cont'd,)

| | | | Number of | Number of proceedings | | Donding |
|---|---------------------|---------------------|-------------------|-----------------------|---------|------------|
| | Total | S | Over 6 | Over 1 | Over 2 | over |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | pending June 30, | pending 6 months | months but not | year but not | but not | 3 Vears |
| | 1958 | or less | over 12 | over 2 | 7 7000 | |
| INTERSTATE COMMERCE COMMISSION | | | | | | |
| Gertifs, of conven, & nec., 49 USC (19),1(21),6(11),305,909,1010 | 2,511 | 1,652 | 680 | 157 | 17 | 'n |
| Finance and transfer of operating authority, 49 USC §§312,912,1010 | 309 | 118 | 108 | 65 | 8 | 1 |
| <pre>kates, fares, and charges, 49 USC §\$6(6),16(1),906(e),908(d),1005</pre> | 066 | 899 | 168 | 100 | 39 | 15 |
| Bankruptcy Act reorganizations, 11 USC §205 | 4 | ı | 1 | m | н | ı |
| Compliance and rules investigations, 49 USC 68305(A) 312 906(A) 1010(£) | 255 | 221 | 13 | 14 | 2 | 70 |
| TOTALS | 4, 069 | 2,659 | 696 | 339 | 77 | 25 |
| JUSTICE DEPT., OFFICE OF ALIEN PROPERTY | | | | | | |
| SC App. §§ | 93 | 18 | 23 | 34 | 6 | 6 |
| LABOR DEPARTMENT Walsh-Healey Act enforc., 41 USC §39 | 25 | 16 | 7 | ო | 2 | 2 |
| Determinations as to statutory quali- fication to contract, 41 USC §39 | ı | 1 | ı | ! | l | 1 |
| Davis-Bacon Act minimum wage determinations, 40 USC §276a | • | ľ | 1 | 1 | 1 | 1 |
| TOTALS | 25 | 16 | 2 | 3 | 2 | 2 |
| | | | | _ | | _ |

| | | - | • | • | • | | |
|---|-----------------|-----|-----|----|---|-------------|--|
| NATIONAL LABOR RELATIONS BOARD CA cases (allered 88(a) unfair prac- | | | | | | | |
| | 217 | 131 | 50 | 32 | n | | |
| _ | | | | | | | |
| fair union pract.), 29 USC §160(b) | 20 | 26 | 16 | ľΩ | m | ı | |
| CC cases (alleged §§8(b)(4)(A),(B), | | | | | | | |
| (C) union pract.), 29 USC §160(b) | 51 | 21 | 21 | o, | ı | 1 | |
| CD cases (alleged §8(b)(4)(D) unfair | | | | | | | |
| union pract. 29 USC §§160(b), (k) | 5 | 9 | 2 | ı | ı | ı | |
| RC cases (pet. for cert. of represen- | | | | | | | |
| tatives), 29 USC \$159(c)(1)(A)(1) | 1 | • | 1 | • | ı | , | |
| CA - CB cases, 29 USC \$160(b) | 28 | 22 | 21 | 12 | m | ı | |
| | e | - | 1 | 2 | ı | t | |
| | , -1 | | • | • | • | , | |
| | | | | | | | |
| | 7 | 7 | n | 1 | 1 | , | |
| CA - RD cases (incl. decert. petit.), | | - | | | | | |
| 29 USC \$\$160(b),159(c)(1)(A)(ii) | ,-1 | 1 | ı | ᆫ | 1 | , | |
| CB - CC cases, 29 USC \$160(b) | 4 | 3 | н | 1 | 1 | 1 | |
| CC - CD cases, 29 USC §160(b), (k) | 1 | 1 | 1 | 1 | ı | , | |
| TOTALS | 397 | 212 | 114 | 19 | 6 | H | |
| Barbara to the second second | | | | | | | |
| ANT TO THE | 00 | c | * | , | 1 | • | |
| יים לנו ני מוס לנו ני | ۲ ۲ | 67 | t | ຠ | ⊣ | -1 | |
| ואט נפו | 7 | 7 | 1 | 1 | ı | ı | |
| USC SETS | 1 | 1 | 1 | ı | ı | ı | |
| 2nd class applications, 39 USC §232 | Η. | 1 | 1 | 1 | , | I | |
| TOTALS | 41 | 32 | 7 | 3 | - | - | |

TABLE 2 - AGE OF PROCEEDINGS PENDING AT THE END OF THE FISCAL YEAR (Cont'd.)

| | | | Number of | Number of proceedings | 25 | |
|--|----------|----------|-----------|-----------------------|---------|----------|
| TODAY TO DISCOURT | Total | Number | Over 6 | Over 1 | Over 2 | Pending |
| REPORTED OF PROCEEDINGS | pending | pending | months | year | years | over |
| CONTROL DI LAM AGENCIES | June 30, | 6 months | but not | but not | but not | ش |
| | 1958 | or less | over 12 | over 2 | over 3 | years |
| SECURITIES AND EXCHANGE COMMISSION | | | | | | |
| Scop orders (SA), 15 USC \$77h(d) | 23 | m | 14 | 9 | ı | 1 |
| ment of susp. of broker-dealer, NASD | | | | | | |
| Suspension of the transfer of the 180-3 | 77 | 19 | 10 | 15 | 1 | 1 |
| tion (SEA), 15 NSC 8878 (1) | V | | • | × | ı | • |
| Approval of sales, acquisitions, ex- | 0 | l | 1 | ť | | |
| emptions, or reorganization plans | | | | | | |
| Exemption of other sylps, f.g.i.j.k.r | 80 | φ | ı | 7 | 1 | 1 |
| Third seed a construct (ICA), | | | | | | |
| TAA Theory attendances, 6, 7, 8, 17, 39, 40, 41 | 7 | 2 | 67 | | 1 | ı |
| Disbarment (av cHA) | m | m | ı | 1 | 1 | |
| 7788 784 (JA JEA), 15 USC 88778, | | | | | | |
| ≛),/95,80a- | 2 | y | 1 | 1 | 1 | • |
| TOTALS | 90 | 34 | 28 | 28 | - | 1 |
| SUBVERSIVE ACTIVITIES CONTROL BOARD COmmunist action. front 126:11 | | | | | | |
| organizations, 50 USC §\$792,792a | 8 | , | ı | 4, 3 | 4/2 | 3 |
| TREASURY DEPARTMENT COAST GUARD | | | | | | |
| | | | | | | |
| | 191 | 93 | 43 | 50 | 5 | - |
| - | | | Ī . | | | |

| DIRECTOR OF PRACTICE | | | | | | |
|--|----------|-------|-------|-----|-----|-----|
| Disbarment or suspension, 5 USC §261 | - | - | - | - | _ | - |
| IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 118C 885304. | | | | | | |
| 5712,5713, 27 usc \$204 | 12 | 8 | Ţ | -7 | - | |
| GRAND TOTALS - 21 AGENCIES | 505*2 /5 | 3,990 | 1,831 | 686 | 352 | 343 |

mined in advance that a particular docket will be subject to hearing or how many dockets actual figures for cases in process, but estimated figures for cases awaiting action. The CAB report explains that the number of proceedings awaiting action and the number of new cases filed are necessarily only judgement figures because it cannot be deter-Except for safety enforcement proceedings, all of the data reported by the CAB include will be consolidated into a single proceeding.

FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available. 5

estimates that in these 5,060 cases the average time from assignment to an examiner was Of the 14,355 Social Security cases pending on June 30, 1958, a total of 5,060 had been pending before examiners more than 60 days after receipt of the claims files. The SS. 6 or 7 months. જો

and the entire calendar year 1958, during required reconsiderations of the Communist All of these cases were suspended for the last eight months of calendar year 1956 Party case under successive remands from the Courts. 41

The last column of Table 1 reports 23,541 proceedings of all types pending on June 30, 1958. However, this table includes age data on only 7,505 of these proceedings since such data are not available for the 14,355 Social Security cases or the 1,681 Indian probate cases pending at the end of the year.

2

AAB-- - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION

| Default, consent, settle- ment, compro- mise and other | 17 2 2 2 2 2 2 3 | 2/ 25/ 25/ 32/ 32 | 12/2/1 | 3/ 4/ 5/ 1 |
|---|--|--|--|--|
| | ι υ Ι | 210 | - 7 | 14 22 - |
| Agency decision on the merits after examiner decision | | | | |
| Agency decision on the merits without examiner decision | 1 1 | 1 1 1 | 1 1 1 1 | 1111 |
| Examiner decision which became final without review | ı | 1 | 1 1 1 | 1111 |
| Dismiss. or with- drawal without decision on the merits | 7 | 1 918 | 15 | 27 10 - |
| Total cases closed during fiscal year 1958 | 14 | 32.6 | 1 1 7 104 | 36 36 2 |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | AGRICULTURE DEPARTMENT AWA marketing order contests, 7 USC \$608c(15)(A) CEA and P&S cease and desist orders, | 7 USC §§13a,193,211 P&S license revocation or suspension and cease and desist orders, 7 USC §§204,205,213,218d P&S rate determinations, 7 USC §207 PACA license denial, 7 USC §499d | registration and suspension of registration and suspension of trading privileges, 7 USC §§6g, 9 CEA susp. of trading priv., 7 USC §99h and 200 or rev., 7 USC §499h and 200 or rev. | CIVIL AERONAUTICS BOARD Route licensing, 49 USC \$481 Foreign permits, 49 USC \$482 Adequacy of service, 49 USC \$484 Mail rates, 49 USC \$486 |

(Footnotes at end of table)

TABLE 3 - PROCEEDINGS CLOSED DURING THE FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.)

| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | Total cases closed during fiscal year | Dismiss. or with- drawal without decision on the | Examiner decision which became final without review | Agency Decision on the merits without examiner decision | Agency decision on the merits after examiner decision | consent, settle- ment, compro- mise and |
|--|---------------------------------------|--|---|---|---|---|
| FEDERAL POWER COMMISSION | 2007 | | | • | α | ı |
| NGA 564(e) 5(e) noestig., 15 USC 5717c(e) | 12 | m | • | -1 | | |
| determ, 15 USC 85117c(e),717d(a) | 7 | ı | 61 | 1 | 61 | ı |
| determinations, 15 USC \$717d(a) | ı | ' | 1 | 1 | 1 | • |
| NGA §7(a) extension of facilities certificates, 15 USC §717f(a) | 7 | ı | m | 73 | 2 | 1 |
| NGA §7(c) construction certificates, 15 USC §717f(c) | | ı | 9 | 10 | 9 | I |
| NGA §§7(a), (c) ext. of fac. & constr. certifs. 15 USC &&717f(a) 717f(a) | 7 | 1 | , | ı | • | J |
| NGA §§3,7(c) export and import applications. 15 USC §§717h,717#6. | l (| 1 | 1 | ı | 1 | 1 |
| NGA §§7(b),(c) constr. or aband, of serv. certif. 15 USC §§77ff,) | l - | ı | p | ı | ı | ı |
| NGA §7 certificates other than §7(c) certificates. 15 NSC 8717 f(a) | 1 | | I I | ı | 1 | 1 |
| er, Er, |] L | | 1 1 | ۰٬۰ | | ſ |
| - 4 | n. | 1 | | | 1 | 1 |
| waters investig., 15 USC §§797g,817 FPA §205 rate determs., 16 USC §824d | 1 44 | 1 1 | 1 1 | l rd | | ı |

| FPA §206 investigats., 16 USC §824e FPA rule making, 16 USC §825h TOTALS | 55 | 1 (6) | 13 | 1.8 | 21 | 1 1 |
|---|---------|--------|-------|---------------|-----|-----------|
| FEDERAL TRADE COMMISSION Gease & desist orders, 15 USC §§13, 21,45(b),52(a),68d,69f,1194 | 291 | -12/11 | ı | - <u>13</u> / | 53 | - 14/ 226 |
| HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, 21 USC §355(e) | t | ı | | 1 | t | 1 |
| SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights determinations, 42 USC \$405 | 13,234 | 7,962 | 7,944 | 1 | 328 | 1 |
| INTERIOR DEPARTMENT BUREAU OF LAND MANAGEMENT GOVERNMENT CONTESTS, 43 USC §1201, 30 USC §613(c) (SUPP. V) | 109 | 18 | 46 | ı | 13 | 15/ 32 |
| Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V) Placer mining orders, 30 USC §621(b) | 15 8 | 티 ' | ខាហ | 1 1 | 1 1 | 111/3 |
| Appeals from Range Managers' decisions, 43 USC §315h FRC enforcement proc., 43 USC §315a | 79 | 55 | 11 | 1 1 | 13 | 1 (|
| TOTALS | 213 | 98 | 65 | 1 | 26 | 36 |
| BUREAU OF INDIAN AFFAIRS Indian probate, 25 USC §§372,373 | 1,623 | • | 1,611 | • | 11 | r-4 |

(Footnotes at end of table)

.HT. FISCAL YEAR - MANNER OF DISPOSITION (Cont'd.) THE PRESENCE OF THE PARTY AND PARTY.

| JSC JIO | closed during fiscal year 1958 | drows 1 | ֡ | | | consent. |
|---|--|----------|---------|--------------|----------------------|----------|
| USC 1010 USC 1010 USC 005 | uring iscal ear 958 | | which | on the | on the | settle- |
| USC 1010 1010 1010 1010 1010 1010 1010 10 | iscal ear 958 | without | ресате | merits | merits | ment, |
| USC 1010 1010 1010 1010 005 | ear 9 58 | decision | Fina1 | without | after | combro- |
| USC 1010 1010 1010 USC 005 | | on the | without | examiner | examiner decision | mise and |
| USC 1010 1010 1010 USC 005 | | | | | | |
| USC 1010 1010 1010 USC 005 | | | | | | |
| 1010 fing 1010 USC 005 | | | | | | |
| 1010 USC 005 | 4,037 | 1,021 | 1,317 | 368 | 1,331 | ' |
| USC 005 | .00 | 000 | | Č | ć | |
| | 100 | , V | 00 | 1 7 4 | 80 | 1 |
| ··· | 2,284 | 1,605 | 24 | 424 | 231 | , |
| | | | | | | |
| | , | ı | ı | I | 1 | |
| | o o | 7 | c | | | |
| Ĺ | 3 | | 72 | 7 | 37 | _ |
| CTUTO | 6,790 | 2,684 | 1,424 | 995 | 1,687 | |
| JUSTICE DEPT, OFFICE OF ALIEN PROPERTY | | | | | | |
| | 90 | 4 | 1 | | 88 | |
| LABOR DEPARTMENT | | | | | 3 | |
| | 36 | ı | 2. | | | 2/ |
| | | | 4 7 | 1 | <u> </u> | 9 /: |
| | 4. | 1 | 1 | • | ~1 | |
| 2 | ı | 1 | ı | , | | |
| 3 | 707 | - | 21 | • | 1 | |

| NATIONAL LABOR RELATIONS BOARD CA cases (alleged §8(a) unfair prac- | | | | | | 15/ | |
|--|-----|----|----|-------------|------------------|------------------|----------|
| tices by employer), 29 USC §160(b) | 253 | 14 | 38 | 07 | 두 두 두 두 | S 기 | 0 |
| CB cases (alleged §§8(b)1,2,3,5,6 um- | | | | - | | 14/ | |
| fair union pract.), 29 USC §160(b) | 28 | 7 | 'n | 51 | 24 | | 2 |
| 8(6)(4)(| | | | | | 18/ | |
| (C) union pract.), 29 USC §160(b) | 75 | 80 | סי | 19 | 26 |) 13 | 3 |
| CD cases (alleged §8(b)(4)(D) unfair | | | | | | ĺ | |
| union pract.) 29 USC §§160(b),(k) | 7 | 1 | 1 | 7 | 7 | | - |
| RC cases (pet. for cert. of represen- | | | | | | | |
| tatives), 29 USC §159(c)(1)(A)(i) | ı | 1 | 1 | 1 | ı | | - 1 |
| ġ, | 7.5 | 2 | m | 3,4 | 23 | 다. 13 | 77 |
| 6 | 1 | 1 | 1 | · | • | í ' | · 1 |
| 29 | 1 | , | 1 | | 1 | • | - |
| SO USC | • | | | _ | | | |
| 159(c)(1)(A)(1) | 9 | ı | 2 | 1 | 77 | • | _ |
| CA - RD cases (incl. decert, petit.), | | | l | | • | | |
| b),159(| 2 | 1 | -1 | 1 | Н | , | |
| 5 | 175 | 1 | 1 | 2 | m | 19/ | ~ |
| 29 USC | r) | 1 | ı | 10 | 2 | 16/ | |
| | 491 | 26 | 58 | 115 | 196 | 16/ 96 | 9 |
| POST OFFICE DEPARTMENT | | | | | | | 1 |
| Fraud & lottery, 39 USC §§259,732 | 146 | 9 | 11 | ı | 96 | $\frac{17}{103}$ | |
| "Unlawful" orders, 39 USC §259a | 55 | m | 7 | Η | 35 | | 0 |
| §13 | o, | 'n | 1 | 1 | m | | \ |
| 2nd class applications, 39 USC §232 | 14 | П | - | ı | 13 | | 1 |
| TOTALS | 224 | 15 | 18 | | 77 | 111 | <u>۱</u> |

(Footnotes at end of table)

Cont'd.)

| And the second s | Total | Diamiss. | Examiner | Agency | Agency | Default, |
|--|-----------|----------|----------|----------------------|--------------|-------------------|
| • | CASES | or with- | decision | decision | decision | consent, |
| TIPES OF PROCEEDINGS | closed | drawal | which | on the | on the | settle- |
| REPORTED BY THE ACENCIES | during | without | ресате | merits | merits | ment, |
| | fiscal | decision | final | without | after | compro- |
| | year 1958 | on the | without | examiner decision | decision | mise and other |
| SECURITIES AND EXCHANGE COMMISSION | | | | | | |
| Scop orders (SA), 15 USC \$77h(d) | 18 | 1 | 1 | 13 | ינית | • |
| member (SEA), 15 USC 66780(h) 72-3 | 69 | 1 | | ያ የ | 17 | • |
| Suspension or withdrawal of registra- | | | 1 | ? | i | |
| Approval of sales (8), 78x(b) | m | 1 | 1 | ന | 1 | 1 |
| emptions, or reorganizations, ex- | | | | | | |
| Exemption or other wills, E.f., j, k, r | 9 | 3 | 1 | 9 | 1 | ı |
| 15 USC \$\$80a~3,6,7,8,17,39,40,41 | ľ | , | 3 | L/** | ١ | J |
| ration, 15 | 154 | , | 1 |) | | ' ! |
| 772.2 70 (SA,SEA), 15 USC 8\$778, | ! | | - | 1 | 1 | |
| //sss,/8w(a),/9t,80a-37,80b-11 | | | 1 | H | 1 | 1 |
| TOTALS | 6 | - | ١ | 74 | 23 | |
| SUBVERSIVE ACTIVITIES CONTROL BOARD Communist action, front, infiltrated | | | | | | |
| organizations, 50 USC §§792,792a | 9 | 2 | 1 | , | 3 | |
| TREASURY DEPARTMENT COAST CUARD | | | | | , | |
| Suspension or revocation of marine | | | | | | 19/ |
| 11censes, 46 USC §§239,239b | 1,497 | 8 | 1,405 | | 76 | 8 |
| | | | | | | |

| $\begin{array}{c ccccccccccccccccccccccccccccccccccc$ | 11/ Settled Dismissed by Commission upon recommendation of examiner before hearings "without prejudice to further action." 13/ Dismissed by Commission on interlocutory appeal from examiner 14/ 219 consent orders and 7 default orders 15/ 14 settled and 18 consent decisions 16/ Settled or disposed of by consolidation 17/ 88 affidavits of discontinuance and 18/ 3 affidavits of discontinuance and 6 default orders 20/ 5 deaths, 5 change of venue, 1 voluntary surrender of document after hearing started 20/ 9 settlement and 1 default order |
|--|--|
| DIRECTOR OF PRACTICE Disbarment or suspension, 5 USC \$261 - IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC \$\$5304, 5712,5713, 27 USC \$204 GRAND TOTALS - 21 AGENCIES | Consent dismissal Consent order 20 moot and 4 default Moot Mont not indicated 1 moot and 1 settled 1 moot, 8 settled, 6 disposition tion not indicated 2 settled and 2 disposition not indicated and re-instituted in complaint status FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the |

TADLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION

| | | | Number of | Number of proceedings | S | |
|--|----------|---------|------------|-----------------------|--------|-------|
| and the state of t | Total | Closed | Over 6 | Over 1 | Over 2 | Over |
| LINES OF PROCEEDINGS | closed | in 6 | months | year | years | 7 |
| KEYUKTED BY THE AGENCIES | by final | months | but not | but not | | years |
| | decision | or less | over 12 | over 2 | over 3 | |
| AGRICULTURE DEPARTMENT | | | | | | |
| AMA marketing order contests | | | | | | |
| 7 USC \$608c(15)(A) | Ŋ | ı | , | 6 | ı | 7 |
| CEA and P&S cease and desist orders | | | | | | |
| 7 USC \$\$13a,193,211 | | 1 | J | | ı | • |
| P&S license revocation or suspendion | | | | | | |
| and cease and design orders | | | | | | |
| • | 1. | ŗ | , | - | | |
| Porsecusion of or area SAG | n | 1 | 7 | -1 | I | |
| DAGA 11 CELETINITISCIONS, 7 USC 5207 | 1 | ı | ı | ! | 1 | ' |
| FACA License denial, 7 USC 8499d | 7 | | -{ | 1 | 1 | ' |
| CEA suspension or revocation of | | | | | | |
| registration and suspension of | | | | | | |
| trading privileges, 7 USC 686g 9 | 1 | 1 | • | ı | 1 | |
| CEA susp. of trading priv. 7 nsc. o | | ı | • | 1 | 1 | |
| PACA lie, sush or rear 7 me cook | _ | ···· | | 1 | 1 | 1 |
| * AD + TO * AT CO. | 4 | 4 | _ | į | 1 | 1 |
| TOTALS | 16 | 7 | 3 | 4 | - | 2 |
| CIVIL AERONAUTICS BOARD | | | | | | |
| Koure licensing, 49 USC 8481 | 14 | 'n | н | m | 7 | 4 |
| foreign permits, 49 USC §482 | 22 | 75 | 7 | - | 1 | |
| Adequacy of service, 49 USC 6484 | | } | • | 1 | | 1 |
| Mail rates, 49 USC 6486 | 1 | • | 1 | | ' | ا |
| Carrier relations Ag new sayon you | 1 (| 1 . | 1 1 | | 1 | |
| עמלימטלהה וכם יו כמים אור משלמט למת | ~~ % | | ι¢ | r-i | ' | ٦ |

(Footnotes at and af tehta)

LABLE 4 - OVER-ALL TIME FROM COMMENCEMENT OF PROCEEDING TO FINAL AGENCY DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (CONT'd.)

| ſ | ٦ | | | | Ţ | | | | | | | | | | | | | | | | | | | | | | | - |
|---|-------------|-----------|--------------------------|--------------------------|----------|--------------------------|-----------------------------------|--------------------------------------|---|----------------------|---------------------------------|------------------------------|--------------------------------|------------------|-------------------------------|-----------------------------------|--------------------------------|--------------------------------|-------------------------------------|-----------|---|-------------------------------|------------------------------------|--------------------------|---------------------------------------|-------------------------------------|--------------------------------------|-------------------------------|
| | | Over | m | years | | | | l | 2 | | · | | 1 | | 1 | | J | | 1 | | ı | | J | | ı | | ı | |
| | S | Over 2 | years | but not | over 3 | | 7 | • | • | | 1 | ř | ~ | | 1 | | ı | | • | | • | | 1 | , | ⊣ | | • | • |
| | proceedings | Over 1 | year | but not | over 2 | · | | 1 | ı | | ı | | ı | ` | 4 | | ľ | | ı | | I | | ! - | r | -1 | | ı | 1 |
| | Number of | Over 6 | months | but not | over 12 | | ç | 1 | 1 | _ | ı | r | ∤ | · | 7 | | 1 | 1 | 1 | ı | | I | | | • | ı | : 1 | _ |
| | | Closed | in 6 | months | or less | | | ı | • | | 1 | | ı | | ı | | ı | 1 | l | 1 | | 1 | 1 | | ī | | ı | |
| | | Total | closed | by final | decision | | œ | - | 2 | | ı | (| 7 | , | 0 | | 1 | , | ı | 1 | | • | | r | 7 | (| ı , | - |
| | | to parket | PEROPERTY OF PROCEEDINGS | ALTONIED BY THE AGENCIES | | FEDERAL POWER COMMISSION | NGA \$4(e) investig. Is use 6717. | NGA 984(e),5(a) new schd, susn krate | Ned & F. (e) 15 USC \$\$717c(e),717d(a) | determination of not | NGA 67(a) extension of 5.17d(a) | Certificates, 15 770 s71747. | NGA §7(c) construction sources | 15 USC \$717£(c) | NGA \$87(a), (c) ext. of fac. | certifs, IS USC 66717f(2) 717f(3) | NGA §§3,7(c) export and import | ications, 15 USC §§717b,717f() | NGA §§7(b), (c) constr. or aband of | \$717£(b) | , | certificates, 15 USC §717f(e) | FPA 54(e) water power construction | licenses, 16 USC §797(e) | FPA §§4(g),23(b) land occur, E. marie | waters investig., 15 USC 667970 817 | FTA \$205 rate determs 16 mes 205, 1 | TO COC TOTAL OF TO COC SOCKED |

| FPA §206 investigats., 16 USC §824e FPA rule making, 16 USC §825h TOTALS | - 21 | 1 1 | 1 1 0 | 110 | 1 1 9 | 1 1 6 |
|--|---|-------------|-----------|------------|------------|-----------|
| FEDERAL TRADE COMMISSION Cease & desist orders, 15 USC §§13, 21,45(b),52,55(a),68d,69f,1194 | 53 | F -1 | œ | 26 | 13 | 5 |
| HEALTH, EDUCATION, AND WEIFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, 21 USC §355(e) | , | 1 | ı | 1 | 1 | i |
| SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights determinations, 42 USC §405 | -5/ (328) | | (Data not | available) | | |
| BUREAU OF LAND MANAGEMENT BUREAU OF LAND MANAGEMENT GOVERNMENT CONTESTS, 43 USC \$1201, 30 USC \$613(c) (Supp. V) Private contests, 43 USC \$1201, 30 USC \$527(c) (Supp. V) Placer mining orders, 30 USC \$621(b) Appeals from Range Managers' decisions, 43 USC \$315h FRC enforcement proc., 43 USC \$315a FRC enforcement proc., 707ALS BUREAU OF INDIAN AFFAIRS 2/ Indian probate, 25 USC \$372,373 | 13 13 26 11 11 11 11 11 11 11 11 11 11 11 11 11 | 1 1 1 1 6 | 1 1 1 1 1 | 1 11 411 | 4 11 114 2 | 12 1 21 1 |

DISPOSITION - PROCEEDINGS GLOSED DURING THE FISCAL YEAR BY AGENCY PINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

| | Over | e | years | | | | 16 | | - | - | 1 | | | 7 | 33 | 3 | | 8 | | 1 | | 1 | | 1 | |
|-----------------------|---------------|---------------------------|--------------|----------|--------------------------------|--------------------------------|-------------------------|------------------------------------|-----------------------------------|--------------------------------------|---------------------------|---------------------------------|--------------------------------------|---------|-------|-----------------------------------|--------------------|------------------|--------------------------------|------------------------------------|-----------------------------------|------------------------------|-------------------------------|--------|----------|
| s | Over 2 | years | but not | over 3 | | | 33 | • | ٥ | 37 | ; | 1 | | 77 | 80 | | 1 | 172 | | ı | | ı | | 1 | |
| Number of proceedings | Over 1 | year | | over 2 | | | 495 | (| 9 | 124 | | ı | | 14 | 693 | | 6.7 | 7+7 | | 7 | | 2 | | | Ф |
| Number of | Over 6 | months | but not | over 12 | | | 685 | 0 | 0 | 57 | | ı | | 15 | 775 | | a F | O. | | 7 | | г | | | സ |
| | Closed | în 6 | months | or less | | | 102 | c | ז | 2 | | , | | - | 107 | | 9 | | | 1 | | Н | | | |
| | Total | closed | by final | decision | | | 1,331 | ď | | 231 | | 1 | | | 1,687 | | 98 | | | эл | • | - | ı | | 7 |
| | Types on page | REPORTED BY THE ACTUAL OF | THE AGENCIES | | INTERSTATE COMMERCE COMMISSION | \$\$1(19) 1(21) (nec., 49 USC | Finance and transfer of | authority, 49 USC \$\$312,912,1010 | krack, rares, and charges, 49 USC | Bankruptey Act reares, 908 (4), 1005 | 11 USC \$205 TOTESALIONS, | Compliance and rules invocation | 49 USC \$\$305(e).312 90/(c) 1610us, | TOTO(E) | STATO | Claims 50 FFICE OF ALIEN PROPERTY | ob App. \$89,32,34 | EABOR DEPARTMENT | Walsh-Healey Act enforc // mas | Determination as to statutory mist | lifeation to contract, 41 ner san | Davis-Bacon Act minimum wase | determinations, 40 USC \$276a | TOTATE | |

| | <u> </u> | | | | | | | | | | | | _ | | | | _ | | |
|--|---|----|--------------------------------|--|------|-------------------------------|----------|--|---------------------------------------|-----|-------------------------------|------------------------------------|--------|------|------------|----------|-----|--|-------|
| ı | i | 1 | 1 | • | • | • | ı | • | 1 | ı | 1 | 1 | • | | 8 | | | 1 | 3 |
| 4 | 1 | î | 1 | I | 7 | • | | | I | 1 | 1 | ı | 7 | | 7 | 1 | ı | П | 3 |
| 65 | 10 | 8 | H | , | 16 | ı | ı | 1 | | ı | ĸ) | Ħ | 701 | | 7 | m | ī | 1 | 8 |
| 70 | 14 | 18 | 러 | • | 10 | 1 | 1 | 7 | · · | -1 | ı | 1 | 82 | | 16 | 16 | t | 7 | 39 |
| 8 | ı | 1 | 1 | • | ı | ı | ı | H | | ı | ı | 1 | ю | 1 | 2 | <u>구</u> | m | 7 | 24 |
| 111 | 24 | 26 | 7 | 1 | 23 | ı | 1 | 7 | Τ | | m | 2 | 196 | , | 25 | C ' | m i | ET | 11/ |
| NATIONAL LABOR RELATIONS BOARD CA cases (alleged §8(a) unfair practices by employer), 29 USC §160(b) | CB cases (alleged §§&(b)1,2,3,5,6 un- fair union pract.), 29 USC §160(b) | | ed \$5(0)(4)(U 29 USC §§160 | <pre>KC cases (pet, for cert, of represent tatives), 29 USC §159(c)(1)(A)(i)</pre> | 29 T | CA - CC cases, 29 USC §160(b) | 29 USC § | CA - RC cases, 29 USC §§160(b), 159(c)(1)(A)(i) | CA - RD cases (incl. decert. petit.), | 777 | CD - CD Cases, 29 USC 9160(5) | CC - CD CASES, 29 USC 9100(D), (K) | TOTATA | MENT | ν., υ., | | U | And crass appliated Lons, 59 USC \$252 | TOTAL |

DISPOSITION - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

| | | | Mumber of | proceedings | 7.5 | |
|--|----------|--------|-----------|-------------------|--------|---------------|
| | Total | Closed | Over 6 | | Over 2 | Over |
| TYPES OF PROCEEDINGS | closed | 1n 6 | months | year | years | 3 |
| REPORTED BY THE AGENCIES | by final | months | but not | but not over 2 | over 3 | years |
| SECTRITIFS AND EXPLANAGE COLORS | 10121 | | | | | |
| | Ŋ | ' | ιλ | 1 | 1 | 1 |
| Rav. or susp. of broker-dealer, NASD member (SEA), 15 usc saya, the part of the contract of th | .3 17 | 1 | 7 | ις | H | 1 |
| Suspension or withdrawal of registra- | | , | (| | | 1 |
| Approval of sales activated as (a) | | , | l | | | |
| , ;; | | | | | | |
| (PUHCA), 15 USC §§79e, £, g, 1, j, k, r | ı | ı | ı | 1 | 1 | 1 |
| Lycemption or other relief (ICA), | ı | ı | ' | ' | ' | ı |
| IAA registration, 15 USC 680b-3 | p-1 | ı | ı | 1 | | 1 |
| Disbarment (SA, SEA), 15 USC §§77s, | | | | | | |
| TOTAL | 23 | | 16 | 5 | T | 1 |
| SUBVERSIVE ACTIVITIES CONTROL BOARD | | | | | ! ! | |
| Communist action, front, infiltrated | 3/ | | | 4/ | | 17/7 |
| organizations, 50 USC §§792,792a | ≃, 2 | 1 | 1 | 1 | 1 | |
| TREASURY DEPARTMENT | | | | | | |
| Suspension or removetion of | | | | | | |
| licenses, 46 USC 88239,2395 | 76 | | 50 | 19 | 2 | 7 |
| - I - I - I - I - I - I - I - I - I - I | | | | | | Ļ |

| ſ | | 1 | 146 98 |
|--|---|------------------------|----------------------------|
| 1 | | 3 | 981 |
| | | • | 1,063 |
| (| · · | 21 . | 226 |
| (| | 24 | 2/2,514 |
| DIRECTOR OF PRACTICE Disbarment or suspension, 5 USC \$261 | IRS ALCOHOL AND TOBACCO TAX DIVISION Descriptions 76 180 885304 | 5712 5713 27 IISC 6204 | GRAND TOTALS - 21 AGENCIES |

so that the totals are available.

FCC data for Part A are not broken down as to types of proceeding, but are consolidated

- agency Superintendent that an Indian has died. Data on the period from that time to closing of the case by the Examiner are not available. Very few of these cases are appealed to the Indian probate cases are commenced when the Examiner of Inheritance receives notice from an agency. The figures in table 4 refer only to the period from receipt of appeal to final agency decision in these few cases which were appealed. 7
- One SACB case was disposed of by final decision in July 1957, reopened shortly thereafter, and again disposed of by final decision in December 1957. In computing over-all time involved for purposes of this table, this case is reported only once, by the time from commencement to the first final decision. 3
- These cases were suspended for the last 8 months of calendar year 1956, during required reconsideration of the Communist Party case under court remand. 4
- year by agency final decision after an examiner's decision. This table presents data on only 2,514 of these proceedings because such data are not available for the 328 Social Security The fifth column of Table 3 reports a grand total of 2,843 proceedings disposed of during the proceeding in this table whereas it was counted as two proceedings for purposes of Table 3. appeals, and because the one SACB matter referred to in Footnote 3 above is counted as one ហ

TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION

| | | | - T - T - T | Series of whoreschings | c c | |
|--|--------------------|----------|---|------------------------|--------------------|--------|
| | | | Number 04 | 74040 | 9 | Orreit |
| A STATE OF THE PROPERTY OF THE | Total | Assigned | Over 1 | Over 3 | months | 5 |
| REPORTED BY THE AGENCIES | closed by final | | but not | but not | but not over 12 | year |
| | decision | or less | OVEL J | 7525 | | |
| AGRICULTURE DEPARTMENT | | | | | | |
| AMA marketing order contests. | | | 1 | | | |
| 7 USC \$608c(15)(A) | Ŋ | 7 | r-I | | l | |
| CEA and P&S cease and desist orders. | | | | | | |
| 7 USC §§13a,193,211 | 1 | 1 | ' | • | ! | |
| P&S license revocation or suspension | | | | | | |
| and cease and desist orders. | | | | | | - |
| 7 USC §§204,205,213,218d | Ŋ | Ŋ | 1 | ' | ı | · |
| P&S rate determinations, 7 USC \$207 | ı | 1 | ı | 1 | 1 | ı |
| PACA license denial, 7 USC §499d | 7 | 7 | 1 | 1 | · | ! |
| CEA suspension or revocation of | | | | | | |
| registration and suspension of | | | | | | |
| trading privileges, 7 USC §§6g,9 | ı | t | ı | ì | 1 | 1 |
| CEA susp. of trading priv., 7 USC §9 | 1 | ı | • | ı | | _ |
| PACA Lic. susp. or rev., 7 USC §499h | 7 | 4 | - | _ | - | 1 |
| TOTALS | 16 | 15 | -1 | - | 1 | 1 |
| CIVIL AERONAUTICS BOARD | | | | | | |
| သွင | 14 | ч | 9 | Н | 7 | 4 |
| Foreign permits, 49 USC §482 | 22 | 71 | <u>, , , , , , , , , , , , , , , , , , , </u> | 2 | 1 | Z - |
| Adequacy of service, 49 USC \$484 | 1 | 1 | 1 | 1 | 1 | - |

(Pootnot -- -- A Af --- -

TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

| | | | Sample of | wimber of proceedings | S | |
|---|--------------------|----------|-----------|---|--------------------|----------|
| | _ | | | | Over 6 | Over |
| | Total | Assigned | Over L | months | months | |
| TYPES OF PROCEEDINGS REPORTED BY THE ACENCTES | closed by final | | but not | but not | but not over 12 | year |
| | decision | or less | over 3 | | | |
| FEDERAL POWER CONTISSION | | | | | | i |
| NGA §4(e) investig., 15 USC §717c(e) | ω, | 23 | יט | Ŋ | i | |
| NGA §§4(e),5(a) new sohd, susp, & rate | r | ı | 1 | • | 1 | 2 |
| NGA 85(a) cost and rate | 1 | | - | | | |
| determinations, 15 USC \$717d(a) | 1 | ; | ı | 1 | 1 |) |
| NGA §7(a) extension of facilities | | | | • | , | - |
| certificates, 15 USC §717f(a) | 7 | ı | 1 | - 1 | i | -1 |
| NGA §7(c) construction certificates, | | | | • | | |
| 15 USC \$717f(c) | 9 | 1 | ı | 'n | n | |
| MGA §§7(a), (c) ext. of fac. & constr. | | | | | | |
| certifs., 15 USC §§717f(a),717f(c) | 1 | ı | ı | 1 | 1 | ī |
| NGA \$53,7(c) export and import appl- | | | | | | |
| ications, 15 USC §§717b,717f(c) | • | 1 | 1 | ı | ı | ī - |
| NGA §§7(b),(c) constr. or aband. of | | | | ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,, | | |
| serv. certif., 15 USC §§717f(b),(c) | 1 | ı | 1 | 1 | ! | 1 |
| NGA §7 certificates other than §7(c) | | | | | | |
| certificates, 15 USC §717f(e) | ı | 1 | 1 | 1 | 1 | ı |
| FPA §4(e) water power construction | | | | | | |
| licenses, 16 USC §797(e) | 2 | ı | 1 | t | ~l | - |
| FPA §§4(g),23(b) land occup. & navig. | | | | | | |
| waters investig., 15 USC §§797g,817 | · | 1 | ì | 1 , | _ | <u> </u> |
| FPA \$205 rate determs., 16 USC \$824d | | ! | · | - | - | |

| PA §206 investigats., 16 USC §824e PA rule making, 16 USC §825h | 1 1 | 1 1 | 1 1 | 1 1 | | 1 | |
|---|-----|-----|------------|-----|------------------|-----|--|
| TOTALS | 21 | 2 | 3 | 7 | 5 | 7 | |
| ERAL TRADE COMMISSION ease & desist orders, 15 USC §§13, | | | | | /5 | | |
| 21,45(b),52,55(a),68d,69f,1194 | 53 | • | | | |] · | |
| LITH, EDUCATION, AND WELFARE DEPT. OOD AND DRUG ADMINISTRATION Suspension of new drug applications. | | | | | | | |
| 21 USC §355(e) | ŧ | ł | 1 | | | 1 | |
| OCIAL SECURITY ADMINISTRATION Appeals from benefits rights | 2/ | | | | | | |
| determinations, 42 USC §405 | 328 | | | | | | |
| ERIOR DEPARTMENT | | | | | | | |
| Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V) | 13 | ٧ | 0 | r- | , | c | |
| Private contests, 43 USC \$1201, | |) | ! | | 4 | n | |
| Placer mining orders, 30 USC §621(b) | 1 1 | 1 1 | 1 1 | 1 1 | 1 | 1 | |
| Appeals from Range Managers' decisions 43 msc 8315h | r | c | Г | | | I | |
| FRC enforcement proc., 43 USC §315a | 3 " | J 1 | ~ 1 | N 1 | , . . | ľ | |
| TOTALS | 26 | 6 | 6 | 3 | 2 | 3 | |
| REAU OF INDIAN AFFAIRS | 77 | | | | | | |
| Indian probate, 25 USC §§372,373 | 11 | | | | | | |
| | | | | | | | |

BUREAU OF INDIAN AFFAIRS Indian probate, 25 USC §§372,373

(Footnotes at end of table)

INTERIOR DEPARTMENT

FEDERAL TRADE COMMISSION

HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION

TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.) La batter A ...

| | | | To the ore | Newhor of proceedings | S | Ì |
|--|--------------------|---------------|-------------|-----------------------|--------------|------|
| | | | Name of the | 6 | Curet 6 | Over |
| | Total | Assigned Over | Over 1 | nonths | months | М |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | closed by final | in 1 mo. | but not | but not | but not | year |
| | decision | or less | over 3 | 2 1200 | | |
| INTERSIATE COMMERCE COMMISSION | | | | | | |
| Gertifs. of conven. & nec., 49 USC | 1.331 | 255 | 632 | 356 | 9 | 28 |
| Finance and transfer of operating | | | | ć | 7 | |
| authority, 49 USC §§312,912,1010 | 88 | ı | 77 | 77 | î Î | î |
| Races, tares, and charges, 49 USC | 22 | 83 | 86 | 35 | 18 | 6 |
| Banktharton Act mooneed that | 167 | 3 | } | } | ı | |
| 11 HSC 8205 | - | ı | ı | 1 | 1 | 1 |
| Compliance and miles investingther | | | | | | |
| 49 USC \$\$305(e),312,904(e),1010(f) | 37 | 1 | 20 | 6 | 4 | 7 |
| TOTALS | 1,687 | 338 | 765 | 423 | 117 | 777 |
| | , | | | | | |
| JUSTICE DEPT., OFFICE OF ALIEN PROPERTY | 77 | | | | | |
| Claims, 50 USC App. §§9,32,34 | 86 | | | | | |
| | | | | | | |
| LABOR DEPARTMENT | | | | | | |
| Walsh-Healey Act enforc, 41 USC 839 | 6 | 60 | ı | I | ı | 1 |
| fication to contract /1 mor sto | 4 | ~ | | · · | | |
| Davis-Bacon Act minimum wase | t . | ŧ | ı | | | |
| determinations, 40 BSC 52768 | 1 | • | 1 | 1 | , | ' |
| STOTATO | 13 | 13 | | , | - | ' |
| | | | | - | - | |

| ATIONAL LABOR RELATIONS BOARD | | | | | | |
|--|-----|-----|-----|---------------|---|---|
| tion he camped 30(a) unital prac- | , | | ć | (| (| |
| CB cases (alleged 668(b)1.2.3.5.6 mm- | 777 | 27 | 0 | L 7 | 7 | 1 |
| fair union pract.), 29 USC (160(b) | 24 | 7 | 14 | v | ı | 1 |
| CC cases (alleged $\S\S\S(b)(4)(A)$, (B), | | • | I |) | | |
| (C) union pract.), 29 USC \$160(b) | 26 | 4 | 13 | on | ı | 1 |
| CD cases (alleged §8(b)(4)(D) unfair | | | ı | | | |
| union pract.) 29 USC §§160(b), (k) | 2 | Ħ | Н | ı | ı | ' |
| RC cases (pet. for cert. of represen- | | | | | | |
| tatives), 29 USC §159(c)(1)(A)(i) | ı | 1 | 1 | ı | • | ı |
| CA - CB cases, 29 USC §160(b) | 23 | 1 | 17 | ır | - | 1 |
| CA - CC cases, 29 USC (160/b) | • | 1 | i | 1 | ł | |
| ON CASES 29 IISC | | |) | 1 | 1 | • |
| SC cases 29 IISC | | l | 1 | • | 1 | 1 |
| | ٧ | | | •••• | | |
| CA - RI cases (incl decent netit) | t | 1 | ຳ | - | | 1 |
| C 122 021 0 | 1 | | ı | | | |
| nec saren(e), real | H | • | - | 1 | ı | 1 |
| CC cases, 29 USC | m | ı | 2 | - | 1 | 1 |
| CC - CD cases, 29 USC §160(b), (k) | 2 | 1 | H | · | ı | 1 |
| TOTALS | 961 | 19 | 132 | 42 | 3 | 1 |
| OST OFFICE DEPARTMENT | | | | | | |
| Fraud & lottery, 39 USC §\$259,732 | 36 | 26 | | | | |
| "Unlawful" orders, 39 USC \$259a | 0.7 | 07 | 1 | ı | ı | ı |
| Mailahility 18 1180 881302 1461 | 7 | CY. | | ı | ı | 1 |
| Ord class applications 30 HSC 822 | יים | 17 | | 1 | • | 1 |
| ACT CLIES OFFICE CLIES OF USE STORY | ET | 6 | 4 | ı | 1 | • |
| CHESTOT | 77 | 72 | 5 | 1 | | 1 |
| | | | | | | |

(Footnotes at end of table)

TABLE 5 - LENGTH OF TIME FROM COMMENCEMENT OF PROCEEDING TO DATE OF ASSIGNMENT TO EXAMINER - PROCEEDINGS CLOSED DURING THE FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

| FINAL DECISION ON THE MERELS OF | | | | | | |
|--|----------------------|---------------------|-------------------|-------------|---------|------|
| | _ | | Number of | proceedings | S | |
| | | | 1 1000 | Over 3 | Over 6 | Over |
| TYPES OF PROCEEDINGS | Total | Assigned to ex mr. | month | months | months | 7 |
| REPORTED BY THE AGENCIES | by final decision | in 1 mo. or less | but not over 3 | over 6 | over 12 | |
| SECURITIES AND EXCHANGE COMMISSION | | | | | ' | 1 |
| Stop orders (SA), 15 USC §77h(d) | ı, | 'n | ' | | | |
| Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC §§780(b), 780-3 | 17 | 17 | 1 | 1 | 1 | 1 |
| Suspension or withdrawal of registra- tion (SEA) 15 USC 6678s(a) 78x(b) | 1 | J | 1 | 1 | 1 | 1 |
| Approval of sales, acquisitions, ex- | | | | | | |
| emptions, or reorganization plans (PUHCA), 15 USC §§79e.f.g.i.i.k.r | 1 | ı | ı | · | j | 1 |
| Exemption or other relief (ICA), | | | | | 1 | 1 |
| 15 USC \$\$8Da-3,6,7,8,17,39,40,41 | 1 ,- | ; - | ı ı | ı ı | 1 | ' |
| LAA registration, 13 USC 90UD-3 Disharmant (sa SFA) 15 msc 8872 | 1 | 4 | | <u>,</u> | | |
| - 35 | 1 | • | ı | 1 | 1 | 1 |
| TOTALS | 23 | 23 | , | | | 1 |
| SUBVERSIVE ACTIVITIES CONTROL BOARD | | | | | | |
| organizations, 50 USC §§792,792a | 2 | - | | - | ,-*i | |
| TREASURY DEPARTMENT | | | | | | |
| Suspension or revocation of marine | 72/ | | | | - | |
| licenses, 46 USC §§239,239b | 76 | | | 1 | | |
| | Ĺ | | | | | |

| | ſ | | ÷ | 134 58 |
|----------------------|--------------------------------------|---|-------------------------|---------------------------|
| | 1 | | 1 | 488 |
| | _ | | -7 | 930 |
| | J | | 23 | 624 |
| | • | | 24 | 2,842 |
| DIRECTOR OF PRACTICE | Disbarment or suspension, 5 USC §261 | IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC 885304. | 5712,5713, 27 USC \$204 | GRAND TOTAL - 21 AGENCIES |

1/ CAB medical review and other safety enforcement proceedings are assigned to examiners at the time Other CAB proceedings are assigned after they are commenced. However, because the data as to the periods of time between commencement and assignment are not available, from commencement to opening of the prehearing conference, or if there was no prehearing conthe CAB figures in this table indicate, in lieu thereof, the somewhat longer periods of time ference, to opening of the hearing. We are advised that the period from assignment to an examiner to opening of the conference or hearing is generally brief. they are commenced.

3/ FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that 2/ All of the proceedings of this type are assigned to examiners at the time they are commenced,

4/ With one exception, all cases were assigned to examiners at the time of the issuance of complaint.

the totals are available,

Coast Guard cases (76) were assigned to examiners simultaneous with their commencement and therefore are not included in any of the columns indicating periods of time between commenceafter an examiner's decision (2,842, as shown in the 1st column) exceeds the total number of cases reported in the other columns by 608. This is because 55 CAB cases, 52 FTC cases, and 5/ The total number of cases closed during the fiscal year by agency final decision on the merits all Social Security cases (328), Indian probate cases (11), Alien Property cases (86), and ment and assignment.

IANL B " LIMITH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCFEDINGS CLOSED HYRING FISCAL VYAR BY AGENCY FINAL DECISION ON THE RELATER AN EXAMINER'S DECISION

| | Total | 111-20-1 | • | Number of proceedings | 88 | |
|--|----------|----------|---------|-----------------------|---------|-----------|
| REPORTED BY THE ACTIONS | closed | Visement | Gver I | Over 3 | Over 6 | Under ad- |
| SELVICE DI IND MORNITES | by final | I month | but not | hut sot | months | Visement |
| | decision | or less | over 3 | Over 6 | our not | Dver |
| AGRICULTURE DEPARTMENT | | | | | Over 12 | L year |
| AMA marketing order contests | | | | | | |
| 7 USC \$608c(15(A) | | | | | | |
| CEA and P&S cease and desist orders | n | e | 1 | T | 1- | |
| 7 USC \$\$13a,193,211 | | | - | l | - | 1 |
| P&S license revocation or suspension | 1 | 1 | 1 | , | | |
| and cease and desist orders | | | | l | r | 1 |
| 7 USC \$\$204,205,213 218d | , | | | | | |
| P&S rate determinations 7 mes | 'n | 'n | ı | | | |
| PACA license denial 7 max 2207 | ı | 1 | | 1 | 1 | 1 |
| CEA Suspending / USC \$499d | | | 1 | ı | r | |
| our suspension or revocation of | 1 | 7 | 1 | • | | , |
| registration and suspension of | | | | | | 1 |
| o trading privileges, 7 msc are o | | | | | | |
| CEA Susp. of trading and | | 1 | _ | | | |
| PACA 1:5 C.T. S. P.L.V., / USC 89 | , | | 1 | 1 | 1 | |
| Tev., 7 USC \$499h | < | 1 - | ı | 1 | ļ | • |
| TOTALS | | 4 | 1 | • | ı | 1 |
| | 97 | 77 | | - | 1 | , |
| CIVIL AERONAUTICS BOARD | | | | - | | |
| Route licensing 49 me ever | | | | | | |
| Foreign netwite 10 mms 100 | 14 | v | r | , | | |
| Adomination of the Color of the | 22 |) li | ή. | 7 | <u></u> | 1 |
| Notificated of Service, 49 USC 5484 | 1 1 | 3 | n | | p-1 | i |
| ***** races. 49 USC \$486 | | I | ı | 1 | | |
| | • | 1 | 1 | | | |

| Carrier relations, 49 USC §§488,489 Agreements, 49 USC §492 Exemptions, 49 USC §496 Commercial rates, 49 USC §642 Econ. enf., 49 USC §§425,495,641,642 Medical review, 49 USC §525 Safety enforcement, 49 USC §559 Safety enf. non-hearing, 49 USC §559 | 8 6 1 1 29 25 | 12 - 12 - 11 | 46141108 | 011HH19 | A 1 1 M 1 M 67 1 | 1111111 |
|---|------------------------------|--------------|----------|---------|------------------|---------|
| CIVIL SERVICE COMMISSION Hatch Act violations, 5 USC \$118k | 111 | 51 | 29 | 24 | r | 1 |
| FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC §§309,312,316,325,405,406 Common carrier services, 47 USC §§204,205,214,221,222 Safety & spec. services, 47 USC §359 Field eng. & mon., 47 USC §303(m)(2) | 81 | 14 | 37 | 00 | ı | 17 |
| FEDERAL MARITIME BOARD Regulatory, 46 USC §§813,822,845, 861,891,1101 Subsidy, 46 USC §1101 Charter, 5 USC App. §1738 TOTALS | 10 | 1 4 4 8 | 1010 | 4114 | 2 - 2 | 1 1 1 |

(Footnotes at end of table)

1140 713 HE ALLA REPTEMBET BY THE ATENCY - PRODECINGS OF THE STATE THAT MEMORY PINAL DECISION ON THE 19 4115 METER AN EXAMINER'S DECISION (Cone'L.)

| | | | Number of | proceedings | Sec | |
|--|----------|-----------|-----------|--------------|------------|-----------|
| | Total | Under ad- | Over 1 | | Over 6 | Under ad- |
| TYPES OF PROCEEDINGS | closed | visement | month | months | months | visement |
| REPORTED BY THE AGENCIES | by final | 1 month | but not | but not | but not | over |
| | decision | or less | over 3 | over 6 | over 12 | l year |
| MOTOS DAMOS COLLOS TAGACAS | | | | | | |
| MGA 64(e) investig 15 118C 6717c(e) | α | , | - | | | - |
| NGA 884(e), 5(a) new schd, susp, &rate | , | | ન | , | 7 | ⊣ |
| determ, 15 USC 88717c(e).717d(a) | 2 | 1 | 1 | - | | • |
| MGA §5(a) cost and rate | , | | t | -1 | · | |
| determinations, IS USC \$717d(a) | 1 | • | | | | |
| NGA §7(a) extension of facilities | | | , | 1 | ' | |
| certificates, 15 USC (717f(a) | , | - | | , | | |
| NGA §7(c) construction certificates | 1 | -1 | • | <u>-</u> 1 | 1 | 1 |
| 15 USC \$717£(e) | ٧ | r | • | 1 | | |
| NGA 867(a) (c) ext of fac & constant | 2 | -1 | 7 | 1 | 1 | 1 |
| Certifies 15 1100 88717501 14461 | | | | | | |
| | , | 1 | 1 | | · | |
| ď | | | | | | ı |
| | ı | · · | | | | |
| NGA §§7(b),(c) constr. or aband of | | · · · · · | 1 | 1 | 1 | 1 |
| Serv. certif. IS USC 88717+Ch) CA | | | | ند در و بوس | | |
| (4) (0) 1/1/2 200 1 COLT (1) 1/2 (1) (1) (1) (1) (1) (1) (1) (1) (1) (1) | 1 | 1 | ř | 1 | | ا |
| new % continueded order chan \$/(c) | | | | | | |
| certificates, 15 USC 6717£(e) | - | | | ** | ~ 1 | |
| FPA 84(e) water power construction | | ľ | ı | | l | • |
| licenses, 16 18C \$797(c) | r | • | • | c | - | |
| 778 884 (2) 23 (3) 2800 Octime to hear | | I | ř | 4 | | - |
| かいが しんのわらい しいし アン・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・・ | I | 1 | | 1 | | - |
| | | · | | | | |

| 1116 | 1 | ı | | | • | 9 | t | 1 | 4 1 | 10 | | 80 |
|--|--|---|------------------------|-----------------------------|--|---|--|-----------------------------|-------------------------------------|--------|--------------------------|----------------------------------|
| HII |) | ı | | (a) | 1 | ń | ı | 1 | 7 1 | 6 | | |
| 1110 | | ı | | r avallable | | 7 | 1 | | 4 1 | 9 | | ı–t |
| 1 1 1 | 288 | | | (Data not | | · | 1 | 1 | 1 1 | | | 2 |
| 1110 | 17 | ı | | | | ı | 1 | l , | ⊣ 1 | 1 | | 1 |
| 1 1 1 6 | 53 | ı | 3/ (300) | (328) | C T | <u>ੂ</u> | 1 (| | ጎ ' | 26 | | |
| FPA §205 rate determs., 16 USC §824d FPA §206 investigats., 16 USC §824e FPA rule making, 16 USC §825h | FEDERAL TRADE COMMISSION Cease & desist orders, 15 USC §§13, | HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, 21 USC §355(e) | MINISTRA: efits rig | determinations, 42 USC 94U5 | BUREAU OF LAND MANACEMENT GOVERNMENT CONTROL CONTROL GOVERNMENT CONTRO | So use seist) (supp. v) Private contests, 43 USC §1201, | 30 USC \$527(c) (Supp. V) Placer mining orders 30 HW 8621(B) | Appears from Range Managers | FRC enforcement proc., 43 USC §315a | TOTALS | BUREAU OF INDIAN AFFAIRS | Indian probate, 25 USC §§3/2,3/3 |

TABLE 6 - LENGTH OF TIME UNDER ALL GLOSED DURING FISCAL YEAR B MERITS AFTER AN EXAMIL.

E AGENCY - PROCEEDINGS
DECISION ON THE

| | | | Number o | Number of proceedings | 188 | |
|--|----------|-----------|----------|-----------------------|---------|---|
| | Total | -pe repun | Over 1 | Over 3 | Over 6 | Under ad- |
| TYPES OF PROCEEDINGS | closed | visement | month | months | months | visement |
| KERUKIED BY THE AGENCIES | by final | I month | but not | but not | but not | over |
| والمرازات والمرا | decision | or less | over 3 | over 6 | over 12 | l year |
| INTERSTATE COMMERCE COMMISSION | | | | | | |
| Certifs, of conven, & nec., 49 USC | _ | | | | | |
| \$\$1(19),1(21),6(11),305,909,1010 | 1,331 | 174 | 399 | 624 | 173 | 901 |
| rinance and transfer of operating | | | | : | ì | 201 |
| Batton force, 49 USC §§312,912,1010 | 88 | 2 | 18 | 32 | 2.1 | 7. |
| ASE(K) 14/1) OOK OOK | , | | | | 1 | } |
| Bankruptov Act theoremand and a | 231 | 'n | 46 | 118 | 84 | 14 |
| 11 USC 6205 | | | | | 1 | 1 |
| Compliance and miles dumbath man | , | ı | 1 | ı | ī | • |
| 49 IISC 66305(e) 312 DOL(e) 1010/c | į | | | | | |
| 33040 (E), 012, 044 (E), 1010(E) | | 7 | 15 | 10 | œ | |
| CINIO | 1,687 | 185 | 478 | 639 | 250 | 135 |
| JUSTICE DEPT., OFFICE OF ALIEN PROPERTY | | | | | | |
| Claims, 50 USC App. 889.32 34 | 70 | 1, | 1 | | | |
| | 8 | 4/1 | 15 | Ţ. | 14 | L/~ |
| LABOR DEPARTMENT | | | | | | |
| Walsh-Healey Act enforc. 41 HSC 639 | ø | | (| | | |
| Determinations as to statutory quel- | n | I | m | m | m | 1 |
| ification to contract, 41 USC 539 | 7 | i | c | • | | |
| Davis-Bacon Act minimum wage | | ı | 4 | V | ı | ı |
| recommendes, 40 USC 52768 | | | 1 | | 1 | • |
| STATOT | 13 | | | | | ļ |
| | | | | | | A CHARLES TO SERVICE THE PARTY OF THE PARTY |

| | | | | | | | _ | | | | _ | | | | | | | | | | | | | | |
|---|--|---------------------------------------|------------------------------------|-------------------------------------|-----------------------------------|--------------------------------------|------------------------------------|---------------------------------------|-----------------------------------|-------------------------------|-------------------------------|-------------------------------------|---------------------------------|-----------------|---------------------------------------|----------------------------------|-------------------------------|------------------------------------|--------|------------------------|-----------------------------------|---------------------------------|---------------------------------|--------------------------------------|--------|
| | σ | • | 9 | | 2 | | H | | ı | 9 | ı | ı | | - - | | 1 | ı | 1 | 25 | | - | ۱ ا | | 1 1 | - |
| - | 77 | ; | 16 | | 14 | , | r-d | | ı | 15 | 1 | • | | ı | | • | 33 | <u></u> | 127 | | • | 1 1 | J | 1 1 | |
| _ | ٠, | } | 7 | | 10 | - | I | | ı | 2 | ı | ı | | m | | FH | ı | <u>,-</u> 1 | 44 | | 77 | · I | | | 4 |
| | <u>-</u> <u>-</u> I | | ī | | 1 | _ | ī | | · i | Т | T | T | - | | | 1 | 1 | 1 | - | | -6 | Ē | F | िळ | 27 |
| _ | ı | | ī | | ı | , | ı | | ī | ī | T | T | | 1 | | 1 | ı | l | - | | 11 | 24 | | 7 | 777 |
| | | i i i | 57 | | 56 | | 7 | | ı | 23 | 1 | ' | | 4 | | H | m | 2 | 196 | | 26 | 35 | er. | 13 | 77 |
| | NATIONAL LABOR RELATIONS BOARD CA cases (alleged §8(A) unfair prac- | CB cases (alleged §§8(b)1,2,3,5,6 un- | fair union pract.), 29 USC §160(b) | CC cases (alleged §§8(b)(4)(A),(B), | (C) union pract.), 29 USC §160(b) | CD cases (alleged §8(b)(4)(D) unfair | union pract.) 29 USC §§160(b), (k) | RC cases (pet. for cert. of represen- | tatives), 29 USC §159(c)(1)(A)(1) | CA - CB cases, 29 USC (160(b) | CA - CC cases, 29 USC §160(b) | CA - CD cases, 29 USC §\$160(b),(R) | CA - RC cases, 29 USC §§160(b), | 159(c)(1)(A)(1) | CA - RD cases (incl. decent, petit.), | 29 USC §§160(b),159(c)(l)(A)(11) | CB - CC cases, 29 USC §160(b) | CC - CD cases, 29 USC §160(b), (k) | TOTALS | POST OPFICE DEPARTMENT | Fraud & lottery, 39 USC §§259,732 | "Unlawful" orders, 39 USC §259a | Mailability. 18 USC 681302,1461 | 2nd class applications, 39 USC \$232 | TOTALS |

TABLE 6 - LENGTH OF TIME UNDER ADVISEMENT BY THE AGENCY - PROCEEDINGS CLOSED DURING FISCAL YEAR BY AGENCY FINAL DECISION ON THE MERITS AFTER AN EXAMINER'S DECISION (Cont'd.)

| Total Under ad- Over 1 Over 3 Over 6 closed visement month months months by final 1 month but not but not decision or less over 3 over 6 over 12 NASD | | | | | Number of proceedings | 188 | |
|---|---|----------|-----------|---------|-----------------------|---------|-----------|
| closed visement month months months by final 1 month but not but not but not decision or less over 3 over 6 over 12 -3 17 - 1 2 1 -3 17 - 4 11 2 | | Tota 1 | Under ad- | Over 1 | Over 3 | Over 6 | Under ad- |
| by final 1 month but not but not over 12 1 1 | _ | closed | visement | month | months | months | visement |
| MASD NASD NASD NASD 17 - | | by final | 1 month | but not | but not | but not | over |
| NASD NASD 17 - 1 2 780-3 17 - 4 11 stra- | | decision | or less | over 3 | over 6 | over 12 | 1 year |
| MASD | | | | | | | |
| NASD 17 - 4 11 | | 7 | ı | н | 2 | Н | |
| x(b) | Rev. or susp. of broker-dealer, NASD | ļ t | | • | 1 | | |
| k,r | Greenst (SEA), 12 USC \$\$/80(b),/80-3 | 71 | ı | 4 | 77 | 2 | |
| ans k,r 41 | tion (SEA), 15 USC 8678s(a),78x(b) | ı | 1 | ' | , | · | |
| ans k,r 41 1 1 1 s, | Approval of sales, acquisitions, ex- | - | · | | | 1 | |
| k,r 1 1 2, | emptions, or reorganization plans | | | | | | _ |
| 41 | (PUHCA), 15 USC §§79e, £,g,1,j,k,r | ı | , | 1 | 1 | 1 | |
| 41 | Exemption or other relief (ICA), | | | | | | |
| 1 1 2 - 5 14 ted -2/2 | 15 USC §§80a-3,6,7,8,17,39,40,41 | ı | ı | 1 | ı | ' | <u>,</u> |
| s, | IAA registration, 15 USC §805-3 | ,I | ' | ı | - | | |
| 1 5 | Disbarment (SA, SEA), 15 USC §§77s. | | | | 1 | 1 | |
| ted2/ | 77sss,78w(a),79t,80a-37, 80b-11 | _ | - | ī | ı | ' | |
| ted | TOTALS | 23 | _ | S | 14 | E | |
| 2/2 | BVERSIVE ACTIVITIES CONTROL BOARD Communist action, front infiltrated | | | | | | |
| | organizations, 50 USC \$\$792,792a | ì | | | | 1 | |

| | \alpha | , | T | | | , | 213 |
|--|------------------------------|----------------------|---------------------------------------|--|-------------------------|--------------------------|----------------------------|
| | 87 | | 1 | | | - | 475 |
| | 20 | | | | | | 792 |
| | , | | | | | - } | 635 |
| | 1 | • | 1 | | 66 | 777 | 399 |
| , | 92 | | 1 | | 76 | -2/ | 2,514 |
| TREASURY DEPARTMENT COAST GUARD Suspension or revocation of marine | Arcenses, 46 USC §\$239,2395 | DIRECTOR OF FRACTICE | Dispersion of suspension, 5 USC \$261 | IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC 885304 | 5712,5713, 27 USC \$204 | בייייים ני היאשטים מואסט | GRAND TOTALS - ZI AGENUIES |

2/ One SACB case was disposed of by final decision in July 1957, reopened shortly thereafter, and again closed by final decision in December. Only the period under advisement in conas 2 cases in Table 3. Also, the 328 Social Security cases for which time data are nor available are excluded from this table. Therefore the total number of proceedings for which data are included in this table is 2,514 instead of 2,843, as shown in the fifth nection with the first final decision is reported in this table. The matter is counted FCC data for Part A are not broken down as to types of proceeding, but are consolidated so that the totals are available.

PART P - PROCREDINGS PENDING BEFORE HEARING EXAMINERS

| - backlog and volume data for the fiscal years 1957 and 1958^{-1} | Old cases remanded or reasgd. during the fiscal yr. | 58 1957 1958 1957 1958 1957 1958 | 3 19 9 6 | - 4 | 24 1 20 16 7 20 | 3 1 - 4 3 - 1 | 7 | 2 2 35 25 20 | 31 22 22 22 24 |
|---|---|----------------------------------|--|---|--|---------------------------------|--|--------------|--|
| FOR THE P | 1월 2 대 정리 | 1957 1958 | 10 | 7 | 24 | m | 72 12 | 45 7 | Acceptance and in the Linear Lands |
| VOLIME DATA | 15 2 2 8 8 9 | 1957 1958 | 2 16 | 1 3 | 2 11 | ⊢ 1 | 3/1 3 | 10 37 | 27 29 15 |
| TABLE 7 - BACKLOG AND V | TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | | AWA marketing order contests, 7 USC \$608c(15)(A) CEA and P&S cease and desist orders, | 7 USC §§13a,193,211 P&S license revocation or suspension | 7 USC §§204,205,213,218d P&S rate determinations, 7 USC §2072/ PACA license denti-1 7 USC §2072/ | CEA suspension or revocation of | trading privileges, 7 USC §§6g, 92/ CEA susp. of trading priv., 7 USC §9 PACA lic. susp. or rev., 7 USC §9 | TOTALS | CIVIL AERONAUTICS BOARD Route licensing, 49 USC 6481 Foreign permits, 49 USC 5482 Adequacy of service, 49 USC 5484 |

| | | | | | | | | | | | | | | | | , | | | |
|--|---------------|-------------------------------|----|-----|------------------|----------|--------|--------------------------|-----------------------------------|-----------------------------------|------|---|-------------|--------------------------------------|--------|---|--------------|--|-----|
| 614 | 1 | 7 | 10 | 31 | 11 | 171 | 325 | | 2 | | 89 | 16 | 7 | 1 | 113 | | 18 | ייי | 23 |
| ⊢ 6 | ri | 9 | 7 | 19 | 226 | | 295 | | - | | 99 | 7 | 12 | ı | 87 | | 19 | 7 | 23 |
| 1 000 | 7 | 9 | 67 | 39 | 194 | 490 | 828 | | 1 | | 101 | 31 | 19 | 9 | 157 | | 15 | 1 | 23 |
| 4 21 | ı | 7 | o | 32 | 534 | | 779 | | 2 | | 140 | 7 | 22 | ~ | 176 | - | 10 | en - | 24 |
| 1 4 | | П | 1 | 17 | 7 | 2 | 24 | | - | | 2 | ı | 1 | 1 | 2 | | 2 | H | 160 |
| 1 1 | ' | 1 | 1 | 1 | ٦ | | 7 | | 1 | | 14 | J | Н | • | 15 | | 1 | l r | 1-1 |
| 1 1/10 | 1 | 7 | 14 | 34 | 202 | 200 | 837 | | 3 | | 120 | 40 | 14 | 7 | 181 | | 16 | 4- | 21 |
| 3 | 4 | 10 | 12 | 39 | 560 | | 681 | | t | | 112 | 10 | 18 | 3 | 143 | | 'n | 4 6 | 13 |
| 444 | 7 | 5 | 5 | 179 | 67 | 159 | 292 | | - | | 89 | 7 | 12 | <u> </u> | 87 | | 15 | <u> </u> | 22 |
| ଷଳ | ı | m | 4 | 12 | 199 | | 257 | | 2 | | 83 | 4 | 15 | 4 | 105 | | 21 | Ф I | 27 |
| Mail rates, 49 USC \$486 Carrier relations, 49 USC \$§488,489 Agreements 49 USC \$492 2, | | Commercial rates, 49 USC §642 | | usc | ent, 49 USC §559 | ring, 49 | TOTALS | CIVIL SERVICE COMMISSION | Hatch Act violations, 5 USC §118k | FEDERAL COMMUNICATIONS COMMISSION | 312, | common carrier services, 47 USC §\$204,205,214,221,222 | services, 4 | Field eng. & mon., 47 USC §303(m)(2) | TOTALS | FEDERAL MARITIME BOARD Regulatory 46 1957 845 | 861,891,1101 | Subsidy, 46 USC §1101 Charter, 5 USC App. 61738 | |

(Footnotes at end of table)

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 1958 (Cont'd.) PART II - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

| | Pending | 33 | New | New cases | pro | Old cases | Disp | Disposed | Pending | 38 |
|--|----------------|----------|------|------------|----------|------------|--------|-------------|------------|------------------|
| PROCEEDINGS | betore | 61 | ass | asgd. to | rema | remanded | of by | > | before | ۱ ۵۰ |
| | ex'rs, at | at | exa | examiners | 7 70 | or reasgd. | | examiners | examiners | ers |
| - | peginning | ing | dur | during the | _ | ng the | | during the | at end of | 40 |
| _1 | ٥l | 11 | TIS | fiscal yr. | fiscal | al yr. | | 11 yr. | [fisca] | 44 |
| | 1957 | 1958 | 1957 | 1.958 | 1957 | 1958 | 1957 | 1958 | 1957 | ı |
| FEDERAL POWER COMPLISSION NGA 64(e) investig. 15 1150 67172(e) | , | 7 | 7 | u | | - | , L | 4 | li r | : |
| new schd, susp, &rate | } | 1 | i |) | r | 4 | 7 | > | 7 | 3 |
| JSC \$\$717c(e),717d(a) | 77 | 00 | 10 | 1 | 1 | 1 | 4 | ľ | 2 | £, |
| ing race | r | | • | | | | |) | ? | ז |
| ion of facilities | - - | 7) | 4 | 2 | 1 | ı | 7 | 7 | ന | CT) |
| certificates, 15 USC §717f(a) | ,-I | m | 00 | ~ | 1 | | u | | , | |
| Motion certificates, | _ |) |) |) | 1 | 1 | 0 | 0 | n | 1 |
| <u> </u> | 33 | 0 | 250 | Ċ. | | | 3 | | | |
| ext. of fac. & constr. | } | 1 | 1 | 7.3 | - | → | 268 | 87 | ıΛ | 4 |
| JSC §§717f(a),717f(c)2/ | | 1 | | P | | - ,- | | | | |
| port and import appl- | | | | 1 | | 1 | | • | | -1 |
| JSC §§717b,717f(c) | 7 | H | - | 7 | | | | | | |
| constr. or aband, of | _ | ' | r |) | , | | · | 1 | 7 | , - |
| , 15 USC §§717f(b),(c) | ,, | 2 | 54 | | | | 2 | , | | ! |
| ites other than (7(c) | ! | I | 1 | 7 | ı | | 20 | 4 | 24 | , 1 |
| 15 USC \$717£(e) | 1 | 1 | | | | _ | r | | <u>,</u> , | |
| power construction | | _ | ₹ | i | | r | -1 | 1 | , | 1 |
| JSC §797(e) | _ | , | ^ | ~ | ı | | | (* | | c |
| land occup. & navie. | 1 | 1 | 1 | ī | | 1 | 1 | , | | H |
| 4g., 15 USC \$6797E,8172/ | _ | <u> </u> | _ | r | | | | | | |

| - 31 | 248 | ı | 14,355 | 88 | 21 | 97 | 209 | 1,643 |
|--|---|---|--|---|---|--|--------|--|
| 41 | 196 | 1 | 8,907 | 107 | 19 | 108 | 244 | 16/ |
| 1 1 1 4 | 328 | • | 13,234 | 134 | 17 | 73 | 240 | 1,611 |
| 351 | 231 | 2 | 6,331 | 125 | 19 | 76 | 223 | 2,320 |
| 1 1 m | 16 | 1 | 173 | 2 | , ' | ıH | 3 | 5/(20) |
| ļ | -2 | | 1 | r-I | ; I | 1 1 | 1 | - |
| 37 | 361 | | 18,534 | 156 | 19 | 67 | 251 | 1,659 1,662 |
| 350 | 241 | 2 | 12,73718,534 | 144 | 20 | 44 | 241 | 1,659 |
| 11198 | 199 | 1 | 8,882 | 99 | 19 | 103 | 767 | 16/ 1,592 |
| 37 | 181 | ı | 2,501 | 28 | 18 | 120 | 225 | 2,512 |
| FPA \$205 rate determs., 16 USC \$824d2/ FPA \$206 investigats., 16 USC \$824e $\overline{2}/$ FPA rule making, 16 USC \$825h $\underline{2}/$ TOTALS | FEDERAL TRADE COMMISSION Cease and desist orders, 15 USC §§13, 21,45(b),52,55(a),684,69f,1194 | HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, 21 USC §355(e) | SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights determinations, 42 USC \$405 | INTERIOR DEPARTMENT BUREAU OF LAND MANAGEMENT Government contests, 43 USC \$1201, 30 USC \$613(c) (Supp. V) | Private contests, 43 USC §1201, 30 USC §527(c) (Supp. V) Placer mining orders, 30 USC §621(b) | Appeals from Range Managers' decisions, 43 USC §315h FRC enforcement proc., 43 USC §315a | TOTATS | BUREAU OF INDIAN AFFAIRS Indian probate, 25 USC §§372,373 |

(Footnotes "+

PART II - PROCEEDINGS PENDING BEFORE HEARING EXAMINERS

TABLE 7 - BACKLOG AND VOLUME DATA FOR THE FISCAL YEARS 1957 AND 19581 (Cont'd.)

| ers of | 1958 | 926 1,037 | 123 | 567 | m | 57 | 787 | α | | 6 | 1 | (2 | |
|---|--------|------------------------------------|----------------------|--|--|--|------------|---|-------------------------------|--------------------------------------|--|---|--------|
| rending before examiners at end of fiscal yr. | 1957 | 926 | 127 | 515 | 8 | 77 | 1,617 | e e | | 1.8 | | 1/5 | † |
| sed ners the | 1958 | 2,790 | 369 | 681 | ri | 67 | 3,908 | 0 | | 36 | m | 102 | |
| Disposed of by examiners during the fiscal yr. | 1957 | 3,000 2,790 | 252 | 894 | i | 54 | 4,2 | 100 E | 707 | 31 | | 1 | |
| ases ded asgd. g the | 1958 | 1 | 1 | ī | ī | 1 | J | | t | ı | i | 1 | |
| Old cases remanded or reasgd. during the fiscal yr. | 1957 | I | i | 1 | ī | 1 | 1 | | | 1 | | ' | |
| ases to ners S the | 1958 | 2,901 | 365 | 733 | 7 | 77 | ,836 4,078 | 1 | 5 | 36 | r-(| | 37 |
| New cases asgd, to examiners during the fiscal yr. | 1957 | 926 2.740 2.901 | 206 | 811 | п | 78 | 3,836 | 8 | 6 | 35 | | H | 36 |
| ng e e at ning | 1958 | 926 | 127 | 515 | 2 | 47 | 1,617 | 8 | Š, | 6 | 2 | - | 11 |
| Pending before ex'rs, at beginning of vear | 1957 1 | 1.186 | 173 | 598 | 1 | 23 | . 981 | Ş |) I | 14 | | - | 14 |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | | Certifs, of conven. & nec., 49 USC | ransfer of operating | Rates, fares, and charges, 49 USC §§6(6),16(1),906(e),908(d),1005 | Bankruptcy Act reorganizations, 11 USC \$205 | Compilance and rules investigations, 49 USC \$\\$305(e).312.904(e).1010(f) | TOTALS | JUSTICE DEPT., OFFICE OF ALIEN PROPERTY | CLAIMS, OU USC APP. 887,54,54 | Walsh-Healey Act enforc., 41 USC §39 | Determinations as to statutory quarification to contract, 41 USC \$39 2/ | Davis-Bacon Act minimum wage determinations, 40 USC \$276a | TOTALS |

| Paragraph Indian | 115 | T 0 | 2 6 | , | 1 00 FT F | -1 N | 101 | 196 | 38 | 41 |
|---------------------------------------|--------------------------------------|---------------------------------------|--------------------------------------|--|--|---|--|--|---|-----|
| Angelogia (Princepted | 43 | ο . | 4 | t | 1 2 | <u></u> | F-1 1 | 99 | 42 20 5 | 1/9 |
| , , , , , , , , , , , , , , , , , , , | 172 | 40 | 22 | 7 | 707 | 1 4 | 765 | 318 | $\frac{10}{12}$ /46 $\frac{12}{14}$ | 217 |
| | 179 | 7, 116 | 58 | ∞ | 18 | 9 | 10 F | 8/438 | 2/166 11/51 7 | 226 |
| | 7 | I | ı | 1 | 1 1 | i I | l (| 1 8 | ம்⊣ा≀ | 9 |
| | | 1 | | - | 1 (4) | i | l | 10 | लना। | 2 |
| | 207 | 64 | 57 | Ŋ | 46 | ų ⊢ 1 ∞ | 14 | 380 | 129 31 | 177 |
| | 191 | 41 | 62 | m | 55 | 7 | 2 | 379 | 166 54 2 | 231 |
| | 73 | 77 | 51 | • | 27. | - 1 1 F | NH | 126 | 50 18 | |
| | 24 | 81 | 77 | ٧, | 3/1 | ۲۰ |)) | 116 | 41 | |
| ACAND PERSONNEL PROPERTY. | CA cases (alleged §8(a) unfair prac- | CB cases (alleged §§8(b)1,2,3,5,6 un- | cc cases (alleged §§8(b)(4)(A), (B), | CD cases (alleged §8(b)(4)(D) unfair CD cases (alleged §8(b)(4)(D) unfair | RC cases (pet. for cert. of representatives), 29 USC \$159(c)(1)(A)(1) | CA - CB cases, 29 USC \$160(b)2/ CA - CC cases, 29 USC \$160(b), $(\kappa)2/$ CA - CD cases, 29 USC \$\$160(b), $(\kappa)2/$ CA - RC cases, 29 USC \$\$160(b), | 159(c)(1)(A)(1) CA - RD cases (incl. decert, Petit.), 29 USC \$\$160(b),159(c)(1)(A)(11)2/ | CB - CC cases, 29 USC \$150(b), (k) CC - CD cases, 29 USC \$160(b), (k) TOTALS | POST OFFICE DEPARTMENT Fraud & lottery, 39 USC \$259,732 'Unlawful' orders, 39 USC \$259a | |

おお となべて

| AGIE TACKIN, AND WHINE DATA FOR THE FISCAL YEARS 1957 AND 1958 (Cont'd.) |
|--|
| |

| Pending before examiners | fiscal yr. 1957 1958 | 2 13 | 6 22 | 9 | m 1 | | 881 |
|---|--|--|--|-------|--|-------------------------------|--|
| Disposed of by examiners during the | fiscal yr. 1957 1958 | 19 22 | 56 57 | | 2 5 | 77 | 0 |
| Old cases remanded or reasgd. during the | 1957 1958 | ' | 1 1 | 1 | 1 1 | | |
| ing cal | 1957 1958 | 20 30 | 7 3 | 12 11 | 3 8 | 96 113 | 15 |
| Pending before ex'rs, at beginning of year | 8661 /6/ | 1 5 | | ref | 1 2 | 12 37 | F- |
| TYPES OF PROCEEDINGS REPORTED BY THE ACENCIES | SECURITY AND EXCHANGE COMMISSION Stop orders (SA), 15 USC 877F/A | member (SEA), 15 USC \$\$780(b), 780-3 Suspension or withdraws 1.5 | Approval of sales, acquisitions, emptions, or reorganizations, ex- | 120 | 1AA registration, 15 USC \$80b-3 Disbarment (SA,SEA), 15 USC \$877s, 77sss,78w(a),79t.80a-37 oc. | SUBVERSIVE ACTIVITIES CONTROL | Communist action, front, infiltraced organizations, 50 USC §\$792,7922.5 |

| 131 | ['] | 10 | 19,268 | t page) |
|---|--|--|----------------------------|--|
| 108 | | 171 | | he figures in the columns "1958" report correspond- , 499h" in the 1957 report. ned in a single set of s new cases pending at the of the year. It is not 956. tinue. |
| 1,494 | | 777 | 22,736 | es in the single ses pen ear. I |
| 1,370 | 4 | 14 | 247 16,849 22,736 13,683 | 1958" r 1958" r 499h" ted in a s new ca f the y 956. |
| 7 | , | H | - 1 | tred as ming c / 1, 19 in the combination of the combination of first onthing c / 1, 19 in the contract of the |
| (1) | F | (FI | 47 | office man of the state of the |
| 1,51.6 | | 36 | 8,287 13,438 22,198 28,319 | of this hearing, reals tatthe s befor rement |
| 1,353 | 2 | 67 | 22,198 | Report , and t r suspe d non-h cases a pending xaminer f by ag continue ontinue, aived, ed. |
| 108 | | 17 | 13,438 | r's Table I, a d last year. evocation or s hearing and n ause these cas olidation. udes cases pen signed to exam olidation. disposed of b disposed of b ents to discontints to discontints the to discontints to discontints to discontints in the to discontints in the follower was walver. its ion was walver. |
| 122 | 2 | 12 | 8,287 | 1957 A 58. 1961 Las 1961 Las 1961 Las 1962 Las 1963 Las 1964 Las 1 |
| TREASURY DEPARTMENT COAST GUARD Suspension or revocation of marine licenses, 46 USC. §§239, 239b | DIRECTOR OF PRACTICE Disbarment or suspension, 5 USC §261 | IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC §\$5304, 5712,5713, 27 USC \$204 | GRAND TOTALS - 21 AGENCIES | 1/ Table 7 corresponds to Table I of the 1957 Annual Report of this Office. The figures in the columns marked "1957" are taken from last year's Table I, and the columns marked "1958" report corresponding new data for the fiscal year 1958. 2/ Type of proceeding added to those listed last year. 2/ Type of proceeding added to those listed last year. 3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report. 4/ All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report. 5/ All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figure did no ver-all computation because these cases are also reported as new cases pending at the beginning of the year. 5/ Disregated in over-all computation because these cases pending at the beginning of the year. 6/ Includes 76 cases "disposed of" by consolidation. 7/ The figure given under "New cases" includes cases pending at the beginning of the year. It is not known how many of these cases were assigned to examiners before July 1, 1956. 8/ Includes 81 cases "disposed of" by consolidation. 9/ Includes 10 default cases and 3 agreements to discontinue. 10/ Includes 5 default cases and 3 agreements to discontinue. 11/ Includes 6 default cases and 3 agreements to discontinue. 12/ Includes 6 default cases and 3 agreements avaived. 13/ In 66 of these cases the examiner's decision was waived. 15/ Includes 6 default cases and substitute and the second of th |

Footnotes to Table 7 (Cont.)

However, there are discrepancies in many instances. The greatest difference in reported figures was in Indian probate cases before the Interior Department, There, 260 "pony" claims which had been dormant for some time were counted as pending cases in 1957, but were dropped from the report in 1958. Other differences are due to It was expected that the number of cases pending before examiners at the end of the fiscal year 1957, as shown in last year's report and repeated in the last column of this table under the subheading "1957" would be the same as the number reported pending at the beginning of fiscal 1958 (first column, under the subheading "1958"). different totals are attributable to division and consolidation of cases (Interior) changes on the part of the reporting agencies in their respective decisions as to what matters should be counted as "proceedings" within our definition of the term (Agriculture Department), or to the technique of counting backward from the time the report was rendered to the beginning of the fiscal year (NLRB). In addition, or removal from pending docket for return to processing. 16

44BLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/

| | T | _ | | | | |
|---|--|--|---|--|--|--|
| | Before examiners | 1958 | 1 2 | 011 | 211 | 0 001 |
| | Before examin | 1957 | H 1 | 1 1 | Н 1 п | 7 7 7 7 1 |
| | 6 hs not | 1958 | ν H | ון הי | 1 1 1 1 | 241 |
| | Over 6 months but not | 1957 | . H | н , | 1 1 2 | 211 |
| ì | Number of proceedings Over 3 Over months month but not but r | 1958 | - H | 2011 | 1 1 74 80 | 914 |
| | ber of pr Over 3 months but not | 1957 |) i | 2 1 | 1 11 9 | мнн |
| | | 1958 | н | юнн | 177 | N41 |
| | | 1957 | Н | 4 1 | 111 | 191 |
| | Total pending before extmrs, at end of year | 9041 | S | 20 | 40 40 | 18 7 |
| | Total ing be ex mrs end of | | n | r , | 1 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 | 15 |
| | TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | AGRICULTURE DEPARTMENT AMA marketing order contests, 7 USC §608c(15)(A) CEA and P&S cease and design | VOSC \$\$13a,193,211 P&S license revocation or suspension and cease and desist orders, 7 USC \$\$204,205,213,218d | PACA license denial, 7 USC \$207 2/ CEA suspension or revocation of registration and suspension of trading privileges, 7 USC \$45.02/ | PACA 11c. susp. of trading priv., 7 USC §99 PACA 11c. susp. or rev., 7 USC §499h. 3/ CIVIL AERONAUTICS BOARD | Foreign permits, 49 USC §481 Foreign permits, 49 USC §482 Adequacy of service, 49 USC §484 |

(Footnotes at

WABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| - } | | _ | | _{1 | <u> </u> | | 6 | | ~~ V | <u> </u> | | <u> </u> | | 1 | | 1 | | | | 1 | | 1 | | 1 | | 4 | _ |
|-------------|--------|------------------------|---------------------------------|-------------|----------|-----------|---------------------------------------|--------------------------------------|-----------------------------------|--|-----------------------------------|--------------------------------|--------------------------------------|------------------|--|---------------------------------------|---------------------|------------------|---------|-------------------------------------|--------------------------------------|-------------------------------|------------------|--------------------------|---|---------------------------------------|----|
| | ė | ners | | H | 1958 | . | | | | | | _ | | | | _ | | | | • | | | | | | | |
| | Before | examiners | over | l year | 1957 | | 9 | r | -1 | 7 | | ī | | 7 | | | | - | | 1 | | 1 | | 러 | | | |
| | | | ų. | 12 | 1958 | | 1 | r | - | 1 | | ı | | ı | | | | 1 | | ı | | ı | | 1 | | r-l | ī |
| proceedings | Over 6 | months | but not | over | 1957 | | H | | 4 | ı | | 1 | | 1 | | •••• | | · | | H | | 1 | | ī | | | |
| | _ | | ᇼ | | 1958 | | , | | , | -1 | • | ı | | 1 | | 1 | | 1 | | 1 | | 1 | , — , | 1 | | 1 | 1 |
| Number of | Over | months | but not | over 6 | 1957 | | H | • | - | | | 1 | | ī | | | | ī | | 1 | | 1 | | 1 | | | |
| CLT/N | | | | | 958 | | • | | ī | - | | ı | | , † | | 1 | | 1 | | ~ | | ī | | 2 | | 1 | ī |
| | Refore | examiners | 3 months | or less | | | 7 | | 4 | н | | ന | | 7 | | | | ਜ | | - 4 | | ~ | | 1 | | | |
| | pend- | fore | at | vear | 1958 | | 15 | , | m | m | | 1 | | 4 | | r-1 | | -1 | | | | 1 | | 7 | | r-f | 1 |
| | Tore | ing before | ex mrs. at | end of vear | 1957 | | 15 | | 2 | m | | <u>س</u> | | 2 | | | | 2 | | 7 | | 1 | | -1 | | | ~ |
| | | SUNTHER DOOR TO SECURE | SELUCIONE OF CENTRAL ACTIVITIES | 7 | | | FEDERAL POWER COMMISSION NO. 8717c(e) | NGA §§4(e),5(a) new schd. susp.&rate | determ., 15 USC §§717c(e),717d(a) | NGA §5(a) cost and rate determinations, 15 USC \$717d(a) | NGA §7(a) extension of facilities | certificates, 15 USC \$717f(a) | NGA §7(c) construction certificates, | 15 USC \$717f(c) | NGA §§7(a), (c) ext. of fac. & constr. | certifs., 15 USC §§717£(a),717£(c) 21 | rt and import appl- | 3 §§7176,717f(c) | nstr. c | serv. certif., 15 USC §§717f(b),(c) | NGA §7 certificates other than §7(c) | certificates, 15 USC §717f(e) | б | licenses, 16 USC §797(e) | ä | waters investig., 15 USC §§797g,8172/ | Ę, |

| FPA §206 investigats., 16 USC §824e2/ | _ | 1 | | ī | - | ı | | 1 | - | 1 |
|--|---------------|----------|-----|--------------------|-------------|------------|-----|-----|-----------------|-------------|
| FPA rule making, 16 USC \$825h 2/ | | ı | | ī | | 1 | | ī | | • |
| TOTALS | 77 | 31 | 18 | 14 | 2 | [-] | 9 | E | 15 | 13 |
| FEDERAL TRADE COMMISSION | | <u>-</u> | | | | | | | | |
| Cease & desist orders, 15 USC %%13, 21,45(b),52,55(a),68d,69f,1194 | 196 | 248 | 56 | 81 | 28 | 55 | 46 | 51 | 99 | 61 |
| HEALTH, EDUCATION, AND WELFARE DEPT. | | | | | | | | | | |
| Suspension of new drug applications, | 1 | | | 1 | ' | 1 | 1 | , | | |
| 73 77 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 | | - | | | | | 1 | | | 1 |
| SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights | i-i | 11/ | | | | | / . | | | |
| determinations, 42 USC §405 | 8,907 14,355 | 14,355) | | Data not | | avaí lable | I I | | | |
| TATERTOR DEPARTMENT | - | | | | | | | | | |
| 9 | | | | | | | | | | |
| Government contests, 43 USC \$12U1, 30 USC §613(c) (Supp. V) | 107 | 88 | 27 | 49 | 30 | 25 | 42 | 7 | 6 0 | _ |
| Private contests, 43 USC §1201, | 0 | - 16 | Û, | ≪ | ç | c. | 19 | | 1 | 4 |
| Placer mining orders, 30 USC §621(b) | 90 | l t | 1 1 |) [| 00 |) 1 | 1 | | ı | . 1 |
| Appeals from Range Managers' | 108 | 0.7 | 76 | 33 | ď | 1¢° | er. | 2 | 26 | 67 |
| TRC enforcement proc., 43 USC §315a | } = | , m | 7 | 2 61 | 1 |) r-l | ۱ ۱ |) 1 |) I | } I |
| TOTALS | 244 | 209 | 89 | 92 | 53 | 34 | 59 | 23 | 94 | - 09 |
| RIBEAU OF TABLAN AFFAIRS | | 11/ | | | | | | | - | |
| Indian probate, 25 USC \$\$372,373 (| (1,852(1,643) | 1,643 | | Data not available | t ava | 1lable | | | - | |
| | | | | | | | | | | |

(Footnotes of '-E LALT

TABLE 8 - LENGTH OF TIME PROCEEDINGS HAD BEEN PENDING BEFORE EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| | | | Number of arc | | | |
|---------------------------------------|-------------|--------------|---------------|------------|-------------|-------|
| TYPES OF PROCEEDINGS | Total pend- | Before | | Surrence 2 | , | |
| REPORTED BY THE AGENCIES | ex mrs at | examiners | months | months | Before | 6 |
| | end of year | or less | but not | but not | over | S 707 |
| | 195/ 1958 | 1 | 1957 | 1 over 12 | I year | |
| INTERSTATE COMMERCE COMMISSION | _ | | | 277 7728 | 1957 | 1958 |
| Cercifs, of conven. & nec., 49 USC | | | | | | |
| France (11), 6(11), 305, 909, 1010 | 926 1 032 | | | | | |
| anthonita () and operating | 750 47 | 45/ 746 | 260 147 | 179 193 | _ | |
| Bates 45 USC \$\$312,912,1010 | 127 173 | - 6 | | | 1 | 21 |
| \$66(6) 16/1, oc. 1, 49 USC | | 25 | 91 37 | 4 | | |
| Bankrumfer Act 900(e), 908(d), 1005 | 515 567 | | | _ | 1 | 19 |
| II USC 8208 | | bI4 /07 | 128 93 | 180 45 | | |
| Compilance and main | 2 | | | | 1 | 14 |
| 49 USC &8305/21 1nvestigations, | | T- | 1 | | , | |
| 3333 (e), 312, 904 (e), 1010(f) | 72 74 | | | 7 | - | П |
| TOTALS | 1/ | 20 12 | 18 37 | 9 7 | | |
| JUSTICE DEPT. OFFICE OF | - | 74/1-183 | 497 314 | 372 22 | ' | |
| Claims, 50 HSC Ann CES ALLEN PROPERTY | | | | _ | | 26 |
| 15 32,34 7/ | 86 | | | | | ···· |
| LABOR DEPARTMENT | | 11 | 16 6 | 37 | 6 | |
| Walsh-Healey Act enforc (1) | | | | - | 67 | 24 |
| Determinations as to statistics | 18 | - a | | | | |
| ification to contract, 41 Her 2007/ | | - | 4 | - 4 | ~ | - |
| ninimm wase | _ | | | |) | 4 |
| uererminations, 40 USC §276a | | | 1 | 1 | | |
| TOTALS | | -, - | 1 | | | |
| | 6 87 | 8 | 1 | - | - | I |
| | _ | | 7.1 | 4 | | Į, |

| | • | | • | • | | , | | | | | |
|--|----------------|--------------|-------------|------|------|---------------|---------------|------|----|-----|---|
| NATIONAL LABOR RELATIONS BOARD CA cases (alleged §8(2) unfair prac- | | | | | | | | | | | |
| tices by employer), 29 USC §160(b) | 43 | 115 | ₩ ₩ | 80 | 7 | 12 | | 4 | 7 | | |
| CB cases (alleged §§8(b)1,2,3,5,6 un- | | | | | ···· | | | | | | |
| fair union pract.), 29 USC §160(b) | Ŷ | 21 | ত | 10 | 1 | 2 | ı | • | 1 | 1 | w |
| CC cases (alleged §§8(b)(4)(A),(B), | | | | | | | | | | | |
| (C) union pract.), 29 USC §160(b) | 4 | 20 | 4 | 13 | 1 | - | 1 | • | ı | ı | |
| CD cases (alleged §8(b)(4)(D) unfair | - | | • | | | | - | | | | |
| union pract.) 29 USC §§160(b),(k) | 1 | m | 1 | ন | ı | ,(| ı | 1 | ı | ı | |
| RC cases (pet. for cert. of represen- | | | | | | | | | | | |
| tatives), 29 USC §159(c)(I)(A)(i) | - i | ī | 1 | -1- | i | · | l. | • | 1 | ı | |
| CA - CB cases, 29 USC §160(b) | 11 | 28 | 8 | 22 | Н | 7 | 1 | n | 1 | ,l | |
| ပ္က | | ਜ | | 7-1 | | 1 | **** | 1 | _ | ı | |
| ပ္က | | - | | 7 | | • | | • | | ı | |
| CA - RC cases, 29 USC §§160(b), | | | | | | | | | | | |
| 159(c)(1)(A)(1) | (-1 | Ľή | 7 | ব | ١ | 1 | ı | • | • | • | |
| CA - RD cases (incl. decert, petit.), | | | | | | ' | | | | | |
| 29 USC §§160(b),159(c)(1)(A)(11)2/ | | ı | | 7 | | • | | • | | ١ | |
| CB - CC cases, 29 USC §160(b) | - | 2 | - | ~ | | 1 | • | ı | • | 1 | |
| CC - CD cases, 29 USC \$160(b), (k) 2/ | | 1 | _ | 17 | | , | | 1 | | | |
| TOTALS | 99 | 961 | 53 | 168 | 8 | 19 | 2 | 7 | 7 | 2 | • |
| POST OFFICE DEPARTMENT | | | | | | | | | | | |
| Fraud & lottery, 39 USC §§259,732 | 77 | 38 | 25 | 28 | 7 | М | vo | (re) | 7 | 7 | |
| "Unlawful" orders, 39 USC §259a | 20 | 2 | 14 | 7 | £, | - | ı | 1 | m | ۲ ۱ | |
| Mailability, 18 USC §\$1302,1461 | 1 | 1 | 1 | - 1" | 1 | , | ı | ı | 1 | ı | |
| 2nd class applications, 39 USC \$232 | ν. | 1 | 7 | 77 | 1 ! | - | 7 | ı | | ı | |
| TOTALS | 67 | 41 | 41 | 30 | 10 | 7 | 8 | 60 | 80 | 4 | |

1-12-4-1-1

EXAMINERS - PROCEEDINGS PENDING BEFORE EXAMINERS AT THE END OF THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| | Before | examiners | t over | 2 I year | 1958 1957 1958 | | 2 - I | 1 | - 2 | | | - | 1 | 1 | - | 3 2 4 | | - 1 - 2/2 | | | 77 |
|-----------------------|-------------|------------|--------------------------|-------------|----------------|------------------------------------|----------------------------------|-----------|---|--|-----------------------------------|----------------------------------|-------------------------------|-----------------------------------|-----------------------------------|--------|-----|---|---------------------|-------------|------------------------------------|
| edings | Over 6 | months | but not | over 12 | 1957 | | ı | ı | 1 | | 1 | ·- <u>-</u> | 1 / | | ' | - | L | +- | | | + |
| Number of proceedings | 3 | S | ğ | 9 | 1958 | | r=1 | ' | ı | | ı | г | | • | ı | 3 | | • | | <u>.</u> | ļ; |
| ber of | Over 3 | months | but not | | 1957 | | ı | 1 | 7 | | ī | | · i | | | 3 | | 1-1 | | | |
| Num | e | ners | ths | \$8 | 1958 | | σ'n | 22 | ı | | 1 | C | 7 - | { | - | 34 | | T | | | : |
| | Before | examiners | 3 months | or less | 1957 | | 2 | Ŋ | 4 | | 2 | | 1 1 | | | 13 | | 4 | | | |
| | Total pend- | ing before | ex mrs. at | end of year | 1958 | | 13 | 22 | N | | 1 | | √ ₹ | T | 1 | 777 | | 0 | | | |
| | Total | d grif | EX. | end o | 1957 | | 7 | 9 | 9 | | က | | ı , | ı | i | 18 | | 9 | | | |
| | | PH | REPORTED BY THE AGENCIES | | | SECURITIES AND EXCHANGE COMMISSION | Stop orders (SA), 15 USC §77h(d) | | Suspension or withdrawal of registra- tion (SEA), 15 USC §§78s(a),78x(b) | Approval of sales, acquisitions, exemptions, or reorganization plans | (PUHCA), 15 USC §§79e,f,g,i,j,k,r | Exemption or other relief (ICA), | IA registration 15 NSC 8805-3 | Disbarment (SA.SEA), 15 USC 66778 | 77sss,78w(a),79t,80a-37,80b-11 2/ | TOTALS | 144 | Communist action, front, infiltrated organizations, 50 USC 68792,792a | TREASITE DEPARTMENT | COAST GUARD | Suspension or revocation of marine |

| - | 7 | 335 | |
|--------|---|-------------------|--|
| | 10/2 | 33 | S7 S7 Sept of property propert |
| - | 2 | 288 | esponds to Table III in the 1957 Annual Report of this Office. The figures in the riked "1957" are taken from last year's Table III, and the columns marked "1958" responding new data for the fiscal year 1958. secting added to those listed last year. for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 edical review and other safety enforcement proceedings, CAB figures for 1958 reflect rom prehearing conference, or if there was no prehearing conference, the time from the hearing, instead of the longer period of time from assignment to an examiner, the hearing, instead of the longer period of time from assignment to an examiner, sourcement proceedings were assignment to an examiner to prenforcement proceedings, where assignment to an examiner to prenforcement proceedings, where assignment to an examiner to prenforcement proceedings are included that the period from assignment to an examiner to prenference or hearing is generally brief. In the 1957 figures, non-hearing safety separated in the 1958 figures. Social Security cases pending before examiners on June 30, 1957, 2,558 had been becars more than 60 days after receipt of the claims files. The SSA estimates that the end of fiscal year 1958, 5,060 of the 14,355 cases assigned to examiners an average of 5 or 6 months prior to the end of mexaminers hands more than 60 days after receipt of the claims files. The SSA estimates that these cases averaged six or seven months after assignment to an examiner. |
| | 1 | 467 | esponds to Table III in the 1957 Annual Report of this Office. The figures in rked "1957" are taken from last year's Table III, and the columns marked "1958 sponding new data for the fiscal year 1958. eeding added to those listed last year. for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the edical review and other safety enforcement proceedings, CAB figures for 1958 room prehearing conference, or if there was no prehearing conference, the time the hearing, instead of the longer period of time from assignment to an examiner to the hearing, instead of the longer period of time from assignment to an examiner to commenced. We are advised that the period from assignment to an examiner to nference or hearing is generally brief. In the 1957 figures, non-hearing safe to proceedings are included in the figures for hearing cases. Hearing and non-separated in the 1958 figures. Social Security cases pending before examiners for hearing cases. The SSA estimates to separated in the 1958 after receipt of the claims files. The SSA estimates the case more than 60 days after receipt of the 14,355 cases assigned to examiner an examiners hands more than 60 days after receipt of the claims files. The saminer that these cases averaged six or seven months after assignment to an examiner. |
| _ | 3 | 929 | The mas ma mas ma gures gures cence, sent to an ext an fill to an to an to an |
| | 4 | 566 | ffice. e colu 5.C. 6 5.C. 6 5.C. 6 5.C. 6 5.S. as ar is man is man is confe; is man is confe; is man is confe; is man is confe; is confe |
| | m | 738 | this O and this O and the chies, (7 U.; Y U.; Y U.; Y U.; Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y Y |
| | 3 | 3,270 1,262 1,902 | rt of III, ension, presion, presion, presion est time ed to ean exe an exe an exe from as the 199 of the ension of 5 or 14,33 eccept. |
| | 6 | 1,262 | Report Table (1958. Suspent property of the control of the contro |
| | 10 | 3,270 | Ammua's year's year's year's year's year's year. I year ion or there yer per were ser yer per year per yer per yer per yer per yer per yer yer yer yer yer yer yer yer yer y |
| | 17 | 2,924 | last j liscal last j liscal last j liscal last i cety er or if le long dings here as here as i that really in the es. ling be reces. ling be miners in the es. ling be miners in the es. ling be miners in the es. ling be miners in the es. |
| NO | J. | | in the from |
| IVISI | \$\$530 | ÷ | taken taken those those those of oth confer when are a when credin fre inc e 1958 7 case 50 day gned t fiscal ads mo |
| TAX | 6 USC 204 | s 111/ | Tablura are ew da are ew da are do no PA are a a |
| OBACCO | ngs, 2 uSc s | 1 AGENCIES | esponds to Table III in the 19 rked "1957" are taken from las sponding new data for the fisc eeding added to those listed l for "CEA and PACA license revo edical review and other safety rom prehearing conference, or the hearing, instead of the 1 cause the dates when proceeding enforcement proceedings, where commenced. We are advised th nference or hearing is general t proceedings are included in separated in the 1958 figures. Social Security cases pending ners more than 60 days after r s had been assigned to examine At the end of fiscal year 195 n examiners' hands more than 6 that these cases averaged six |
| AND T | oceedi 13, 27 | | rrespon respond occeeding d for medic from of the becaus y enfo is confer ent pr e sepa 07 Soc miners ses ha |
| LCOHOL | Permit proceedings, 26 USC §§5304, 5712,5713, 27 USC §204 | GRAND TOTALS - 2 | 1/ Table 8 corresponds to Table III in the 1957 Annual Report of this Office. The figures in the columns marked "1957" are taken from last year's Table III, and the columns marked "1958" recolumns marked "1957" are taken from last year's Table III, and the columns marked "1958" report corresponding new data for the fiscal year. 2/ Type of proceeding added to those listed last year. 3/ Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report. 4/ Except for medical review and other safety enforcement proceedings, CAB figures for 1958 reflect the time from prehearing conference, or if there was no prehearing conference, the time from prehearing of the hearing, instead of the longer period of time from assignment to an examiner. This is because the dates when proceedings were assignment to an examiner to preparing is commenced. We are advised that the period from assignment to an examiner to prehaming conference or hearing is generally brief. In the 1957 figures, non-hearing safety enforcement proceedings are included in the figures for hearing cases. Hearing and non-hearing cases are separated in the 1958 figures. 5/ Of the 8,907 Social Security cases pending before examiners on June 30, 1957, 2,558 had been before examiners more than 60 days after receipt of the claims files. The SSA estimates that the end of fiscal year 1958, 5,600 of the 14,355 cases assigned to examiners had been in examiners we had been in examiners were seven months after receipt of the claims files. The SSA estimates that these cases averaged six or seven months after assignment to an examiner. |
| IRS A | Per | VAND TO | Table to control of the control of t |
| | | 5 | 네 에 에 4] 이 |

(Footnotes continued on next page)

Footnotes for Table 8 - Continued.



OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ THE

| Other examiner dispos- ition | 1958 | ' | ! | 1 1 | 1 | 1 1 | 111 | <u>5/</u> | 2/- |
|---|--|--|------------------------------|--|--|---|-----|---|-----|
| Other exami dispo ítion | 1957 | | | 00 | r-I | 1 6 | | 111 | N |
| 11t, e- on- nt | 1958 | • | ı | 21 | 1 | 1 | 17 | 011 | ī |
| Default, settle- ment, comprom- ise or consent | 1957 | | ı | - | ı | 1 | - | 111 | t |
| Certified to agency upon waiver of exime | 1958 | 1 | H | 6 1 | 1 | 1 1 1 | 01 | 1 1 1 | ī |
| Certifie to agencupon waiver of exim | 195/ | ' | , | 7 | r | 1 1 | 7 | 111 | ī |
| Dismiss. or with- drawal without decision on merits | 1,728 | 1.0 | H | 1.2 | 1 | 1 1 1 | 14 | 12 - | ï |
| | 1661 | 2 | 1 | 7 | | н і | | 111 | - |
| sion r r ent- ing | | 6 | 2 | w 1 w | | H 1 2 | 20 | 18 20 21 | ī |
| | | _F -1 | | 3 4 | | L1 4 | | 31 15 - 2 | - |
| Total disposed of by ex'mrs. luring the year | | | 4 | 16 | F | 4 | 2 | 47 22 1 | • |
| fotal disposed of by ex'mrs. during the year 1957 1955 | | 0 | | 20 | | 3/ 6 | | H 25 1 4 | |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | AGRICULTURE DEPARTMENT ANA marketing order contests. | / USC \$608c(15)(A) CEA and P&S cease and desist orders, 7 USC \$\$13a,193,211 | and cease and desist orders, | P&S rate determinations, 7 USC \$2072/ PACA license denial, 7 USC \$499d CEA suspension or revocation of | registration and suspension of trading privileges, 7 USC §§68,9 2/ | PACA lic. susp. or reading priv., 7 USC §99 PACA lic. susp. or rev., 7 USC §499h TOTALS | | Foreign Permits, 49 USC §481 Adequacy of service, 49 USC §484 Mail rates, 49 USC §486 | |

| H H H H H H H H H H | 18 | | 1 | 1 1 1 | 1 | 1 1 1 |
|--|--------|---|--|---|--------|---|
| 1 1 1 1 1 | 2 | F-4 | 10 | 422 | 15 | 1 1 1 |
| 14116011 | 11 | | 1 | 1 1 1 | 1 | 27 1 17 |
| 1 1111 | | 1 | 1 | 1 1 1 | 1 | 1 1 1 1 |
| 11181111 | - | | 1 | ≓ 1 I | -1 | 1 1 1 |
| । ।।सन | 2 | | 11 | 1 1 1 | 11 | 1 1 1 |
| 177 | 52 | 1 | 23 | 11 26 1 | 19 | 4 1 2 2 |
| 1 144EQ | 28 | | 34 | ΩH I | 40 | 7 - 1 - 2 |
| 8 7 1 1 5 6 177 177 177 | 746 | | 78 | 750 | 92 | 14.158 |
| 111 6 5 514 | 612 | H | 85 | 16 4 5 | 110 | 3 3 22 22 |
| 98 88 60 194 194 | 828 | 리 | 101 | 31 | 157 | 15 7 7 23 |
| 12 7 9 534 534 | 644 | 2 | 140 | 22 7 | 176 | 10 3 11 24 |
| Carrier relations, 49 USC §§488,489 Agreements, 49 USC §492 2/ Exemptions, 49 USC §496 2/ Commercial rates, 49 USC §642 Econ. enf., 49 USC §§425,495,641,642 Medical review, 49 USC §552 Safety enforcement, 49 USC §559 | TOTALS | CIVIL SERVICE COMMISSION Hatch Act violations, 5 USC §118k | FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC \$\$309,312,316,325,405,406 | Common carrier services, 47 USC §\$204,205,214,221,222 Safety & spec. services, 47 USC §359 Field eng. & mon., 47 USC §303(m)(2) | TOTALS | FEDERAL MARITIME BOARD Regulatory, 46 USC §\$13,822,845,861,891,1101 Subsidy, 46 USC §1101 Charter, 5 USC App. §1738 TOTALS |

(Footnotes at en'

OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| Other examiner dispos- ition | 1957/1958 - 7/1 - 7/2 - 7/1 - 3 | |
|---|---|----------------|
| Default, settle- ment, comprom- ise or consent | 1957 1958 | |
| | 259 | |
| iss. ith- al out sion | 7 | - - |
| · | 12 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 1 2 | <u> </u> |
| Total disposed of by ex'mrs. during the year | _1_ | T - |
| TYPES OF PROCEEDINGS REPORTED BY THE ACENCIES | WGA \$4(e) investig., 15 USC \$717c(e) NGA \$54(e),5(a) new schd. susp.&rate determ., 15 USC \$777c(e),777d(a) NGA \$54(e),5(a) new schd. susp.&rate determinations, 15 USC \$717d(a) NGA \$7(a) cost and rate determinations, 15 USC \$717d(a) Certificates, 15 USC \$717f(a) 15 USC \$717f(c) NGA \$\$7(a),(c) ext. of fac. & constr. certifis., 15 USC \$\$717f(a),717f(c) NGA \$\$3,7(c) export and import applications, 15 USC \$\$717f(a),717f(c) NGA \$\$7(b),(c) constr. or aband. of Serv. certificates other than \$7(c) Certificates, 15 USC \$\$717f(b),(c) NGA \$\$7(b),(c) constr. or aband. of Serv. certificates other than \$7(c) FPA \$4(e) water power construction licenses, 16 USC \$797(e) FPA \$4(e) water power construction licenses, 16 USC \$797(e) FPA \$\$4(g),23(b) land occup. & navig. Waters investig., 15 USC \$8797g,817. FPA \$205 rate determs., 16 USC \$82462. | |

| FPA §206 investigats., 16 USC §824 $e^{2/}$ FPA rule making, 16 USC §825h $\frac{2}{2}$ | | 1 == | ************ | ा न | | 1 1 | | Ē Ţ | • | - 1 | | 1 1 |
|--|----------------------|--------|--------------|-------------------------------|---------------------------------------|-------|------------------|-----|----------------|----------|--------------|--------|
| TOTALS | 351 | 45 | 32 | 37 | 7 | 1 | 317 | | 2 | ī | • | 8 |
| FEBERAL TRADE COMMISSION Cease & desist orders, 15 USC §§13, | 1 | 000 | 2 | i i | | 5 | | | יר ער ער | 37.6 | | 1 |
| 21,45(b),52,55(a),684,691,1194 | 727 | 275 | 7/ | 7 | - - | | 1 | 1 | | 2 | | |
| HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications. | | | | *** | | | ** ** <u>***</u> | | | | | |
| 21 IISC (335)(e) | 2 | - | - | - | - | - | 2 | T | T | ' | 1 | - |
| SOCIAL SECURITY ADMINISTRATION | | | | | | | | | | | - | |
| īV | 6,331 | 3,234 | 4,202 | 3,234 4,202 8,272 2,129 4,962 | 2,129 | 4,962 | 1 | · | - | | | |
| INTERIOR DEPARTMENT BUREAU OF LAND MANACEMENT | | | | | · · · · · · · · · · · · · · · · · · · | | | | | <u> </u> | | ` |
| Government contests, 43 USC \$1201, 30 USC \$613(c) (Supp. V) | 125 | 134 | 83 | 81 | 77 | 14 | 1 | ī | 1 | 38 | ı |) I |
| Private contests, 43 usc %1201, 30 USC %527(c) (Supp. V) Placer mining orders, 30 USC %621(b) | 19 | 17 | / | rU vo | 12 | ĦI | 1 \$ | 1 1 | 1 1 | не | 1 1 | 1 1 |
| Appeals from Range Managers' decisions, 43 USC §315h | 9/ | 73 | 28 | 19 | 84 | 54 | i | ī | ٠, |) [| | 1 |
| ent proc., | 6 | 7 | e | 27 | 1 | 7 | Ī | ī | l | ı | ī | ı |
| TOTALS | 223 | 240 | 121 | 116 | 102 | 81 | 1 | 1 | | 42 | 1 | 1 |
| BUREAU OF INDIAN AFFAIRS | | 1 6 11 | 2310 | - | | | | | | | | |
| | 2,320 4,0 44 4,225,2 | | 2777 | 7,011 | ī | | 7 | 7 | 1 | | 키 | 1 |
| (Footnotes at e table) | | | | | | | | | | | | |

TABLE 9 - MANNER OF DISTOSITION BY EXAMINERS - PROCREDINGS DISPOSED OF BY EXAMINERS DURING THE FISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| Certified Default to agency settle- upon ment, | of ex'mr. ise or decision consent | 1957 1958 | 1 | 1 | i i i i i i i i i i i i i i i i i i i | 1 | - 424 | 1 | | 1 | - 625 | | 1 8 - | 1 | 1 | 1 1 | , , , , , , , , , , , , , , , , , , , | _ |
|--|-----------------------------------|--------------------------------|-------------------------------|-----------------------------------|---------------------------------------|---|--------------|-------------------------------------|-----------------------------|-----------|---|---------------------------------|------------------|--------------------------------------|------------------------------|-------------------------------|---------------------------------------|---|
| Bismiss. S or with- drawal | deci: | 1957 | | 207 | 1 | | 0/ | | 6 | 290 | 1 | | | | 10 | | | |
| Decision on merits after evident- | Lary | 757 1928 | | 2793 279(| 252 168 | 827. 052 | | ਜ | 41 67 | 3910 3283 | | - [| 34 86 | | 21 26 | er. | | • |
| Total disposed of by ex'mrs. | during the year | | | 3000 2790 2793 2790 | 252 369 | 894 681 | | । | 54 67 | 4200 3908 | | 102 | 701 | 1.6 | 7 | m | , | |
| TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | | INTERSTATE COMMERCE COMMISSION | S\$1(19),1(21),6(11) and 5551 | Finance and transfer of operating | Rates, fares, and charges, 49 HSC | Bankrupter Act 2006(e), 908(d), 1005 | Il USC \$205 | Compliance and rules investigations | 33505(e),312,904(e),1010(f) | CIRIO | JUSTICE DEPT., OFFICE OF ALIEN PROPERTY | January, 50 USC App. §\$9,32,34 | LABOR DEPARTMENT | Walsh-Healey Act enforc., 41 USC 639 | ification to statutory qual- | Davis-Bacon Act minimum was 6 | determinations, 40 USC §276a | |

| | | - | | • | | ٠ | | ٠ | | ٠ | | |
|--|-----|-----|-----|---------------------------------------|------------------|-----|---|---------------------------------------|-----|-----|----------------|------------|
| MATIONAL LABOR RELATIONS BOARD | | | | · · · · · · · · · · · · · · · · · · · | | | | · · · · · · · · · · · · · · · · · · · | | | /01 /01 | |
| USC \$1 | 179 | 172 | 148 | 157 | 29 | 7 | 1 | ı | 1 | ī | | <i>س</i> |
| CB cases (alleged §§8(b)1,2,3,5,6 un- | 1 | | | , | 1 | ' | | | | | <u>10/ 10/</u> | |
| fair union pract.), 29 USC §160(b) | 176 | 404 | 33 | 36 | • | 7 | ı | 1 | 1 | 1 | 9/ | m m |
| CC cases (alleged §§8(b)(4)(A),(B), | | | | | | | | | | | 10/ | <u>`</u> |
| (C) union pract.), 29 USC §160(b) | 58 | 52 | 41 | 50 | 16 | ī | 1 | 1 | ı | 1 | - 4 | 2 |
| CD cases (alleged §8(b)(4)(D) unfair | | | | | | | | | | | | |
| union pract.) 29 USC §§160(b), (k) | 00 | 7 | 00 | 2 | ı | 1 | • | _ | ı | ï | 1 | 1 |
| | | | | | | | | | | | | |
| tatives), 29 USC $\{159(c)(1)(A)(i)\}$ | 18 | T | 13 | 1 | 1 | í | ı | T | ı | ī | 101 -/01 | ſ |
| | 97 | 40 | 31 | 33 | 77 | ı | ı | 1 | ı | 1 | 1 | 'ست |
| CA - CC cases, 29 USC §160(b) 2/ | | 2 | | H | | 1 | | ī | | 1 | <u></u> | r1 |
| SC | | 7 | | ī | | 1 | | 1 | | 1 | | ı |
| SC | | | | | | | | | | | 10/ | ` ` |
| | 9 | 7 | 5 | 3 | ,- -1 | 1 | 1 | ī | ı | Ī | 1 | ., |
| ים ב | | | | | | | | ,- | | | | |
| 159(| | 7 | | 7 | | ī | | ı | | 1 | 10/ | 1 |
| 33 | 9 | m | m | m | 4 | 1 | 1 | 1 | 1 | ī | , - - | _ |
| JSC & | - | 1 | H | щ | 1 | ī | ı | ı | ı | Ī | . /01- | |
| TOTALS | 438 | 318 | 288 | 288 | 69 | m | | 1 | - | - | 100 | 7 |
| IMENT | | | | | | | | | | | | |
| Fraud & lottery, 39 USC §§259,732 | 166 | 146 | 16 | 37 | ιń | 9 | 1 | ı | 145 | 103 | , | · |
| rs, 39 U | 21 | \$ | 25 | 36 | 7 | ო | ı | ı | 24 | g. | ' | |
| 302,1461 | 64 | ਨ | 7 | ო | • | Ŋ | ı | ı | 1 | - | ı | |
| cations, | | 7 | 5 | 13 | 2 | 1 | 1 | 1 | ı | 1 | 1 | _ |
| TOTALS | 226 | 217 | 48 | 89 | 6 | 1.5 | 1 | ī | 169 | 113 | 1 | Τ. |
| | | | | | | | | | | | | - 1 |

(Footnotes at end of table)

TABLE 9 - MANNER OF DISPOSITION BY EXAMINERS - PROCEEDINGS DISPOSED OF BY EXAMINERS DURING THE PISCAL YEARS 1957 AND 1958 1/ (Cont'd.)

| Decision Dismiss Certified after drawal upon sevident without walver decision of ex'mr. | 10 4 - 9 18 13 12 - 43 45 - 43 45 - 10 11 24 18 - 66 88 |
|---|---|
| OCEEDINGS TE ACENCIES | Stop orders (SA), 15 USC \$77h(d) Rev. or susp. of broker-dealer, NASD member (SEA), 15 USC \$780(b),780-3 tion (SEA), 15 USC \$780(b),780-3 tion (SEA), 15 USC \$788(a),78x(b) emptions, or reorganization plans Exemptions, or reorganization plans Exemption or other relief (ICA), 15 USC \$\$79e,f,8,1,7,8,r 15 USC \$\$80a-3,6,7,8,17,39,40,41 SUBVERSIVE ACTIVITIES CONTROL BOARD organizations, 50 USC \$\$792,792a 3 6 |

| , ,, | | | | | | | | | | | | |
|---|-------|-------|---------------|------|-------|------|-----|-----|-----|-----|-----|----|
| מיזיית שם שה מהייהימות | l | | | | | | | | | | | |
| Disbarment or suspension, 5 USC §261 | 4 | 1 | 2 | 1 | 2 | | 1 | | - | | | |
| IRS ALCOHOL AND TOBACCO TAX DIVISION Permit proceedings, 26 USC 885304. | | | | | | | | | | | | |
| 5712,5713, 27 USC \$204 | 45 | 7/7 | 34 | 31 | 7 | m | - | 1 | 7 | 10 | 1 | |
| GRAND TOTAL - 21 AGENCIES 1957 | 6,849 | 1,736 | 22,736 16,278 | ,278 | 2,712 | ,218 | 410 | 725 | 331 | 454 | 113 | 61 |

"Other" which by footnote were shown to have been disposed of by waiver of examiner's decision. The first column, under "1957," presents the totals of the figures the cases reported last year by footnote as uncontested cases or as having been disposed of by The 5th column has no counterpart in last year's Table II. The figures appearing therein are are taken from that table. The first column, under "1957," presents the totals of the figure reported in all columns of last year's Table II. The second column is the same as the first column of Table II except that proceedings identifiable as uncontested proceedings have been removed to the column entitled "Default, settlement, compromise or consent," a new column default, settlement, compromise or consent. In some instances cases so disposed of may have been reported by the agencies as "other" disposition without any footnote, and therefore are column contains the figures from the last column of Table II less those cases removed to the column presents a combination of the figures reported last year under "Removal from examiner reported again in the last column rather than in the fifth column of this table. The last for Agency Action," plus those cases reported in last year's table in the column entitled fourth and fifth columns as described above because of footnotes to last year's Table II. which did not appear in Table II. The third column, combining the next 4 columns of Table II, reports all dismissals and withdrawals, before and after hearing. The fourth Table 9 corresponds to Table II in the 1957 report, and figures under the subheading, Corresponding new data for fiscal 1958 are reported in all columns under

Type of proceeding added to those listed last year, 7

(Footnotes continued on next page)

- Substituted for "GEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 <u>س</u>ا
- All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set 41
 - Mooted. 9
- Transferred to another type of proceeding (and therefore possibly reported twice). Continued by Commission order pending settlement.
 - 8
- Withdrawn from examiner prior to hearing for agency ruling on a matter not within the examiner's
 - Certified to Solicitor under rules, Disposed of by consolidation. Escheat indicated,); |

61

- 11/ Change of venue (possibly reported twice).
- 5 change of venue (possibly reported twice) and 2 deaths. 힑



TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/

| SUED DECISIONS ON THE MERITS AFTER HEARING 1/ | niner rendered months months but not erits or less | 18 1957 1958 1957 1958 | 2 - 2 - 1 - 5 | 3 3 - 1 - 1 4 1 - 1 3 - 2 3 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - | | 3 3 | - H |
|---|--|--|---|--|---|---|---|
| AND THE EXAMINERS ISSUED DECISIONS ON | TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | AGRICULTURE DEPARTMENT AMA marketing order contests, 7 USC \$608c(15)(A) GRA MARKETING ORDER CONTESTS, 7 USC \$608c(15)(A) 7 USC \$608c(15)(A) | P&S license revocation or suspension 7 USC §\$204,205,213,211 | PACA license denial, 7 USC \$2072/ CEA suspension or revocation of registration and suspension of trading and suspension of | CEA susp. of trading priv., 7 USC §§6g, 92/ PACA lic. susp. or rev., 7 USC §99h.3/ TOTALS | Route licensing, 49 USC \$481 Foreign permits, 49 USC \$481 | ce, 49 USC \$484 C \$486 . 49 USC \$\$488,489 |

| Econ. enf., 49 USC §§4.25,492,641,642 Econ. enf., 49 USC §§5.25 Medical review, 49 USC §§5.2 Safety enforcement, 49 USC §§5.9 Safety enforcement, 40 USC §§5.9 Safety enfor | Agreements, 49 USC §492 <u>2</u> / Exemptions, 49 USC §496 Commercial rates, 49 USC §642 | 1 9 | 도리 5 | | ا ا و | 1 0 | नाल | - i m | 118 | 1 1 | 1 - 4 | 1 1 | 111 |
|--|--|------|------------|--------------|-------|------|-----|-------------|------------|-----|-------|--|----------|
| The continuous continuo cont | Econ. enf., 49 USC §§425,495,641,642 Medical review, 49 USC §552 | , 78 | 33 | 12 | C4 80 | - 91 | w 4 | 2 5 | - 0 | IH | 1 1 | ī | - 4 |
| 210 746 102 232 46 269 48 168 14 1 1 - - 1 1 - | Safety enforcement, 49 USC §559 Safety enf. non-hearing, 49 USC §559 | -112 | 177 469 | 59 | 72 | 26 | 53 | 25 | 32 119 | 7 | 30 | | 2 1 |
| 85 78 19 20 23 24 26 19 16 7 8 2 4 1 4 1 - 10 95 28 29 33 26 30 28 19 5 9 8 - 22 14 10 1 2 3 3 3 5 3 3 5 | TOTALS | 210 | 746 | 102 | 232 | 97 | 269 | 847 | 168 | 14 | 2 | | 7 |
| 1 1 - - 1 1 - - - - | SIVIL SERVICE COMMISSION | | | | | | _ | | | | | | |
| 85 78 19 20 23 24 26 19 16 7 8 2 4 1 4 1 - 4 5 5 - 5 4 2 1 1 110 95 28 29 33 26 30 28 19 5/ 9 8 2 2 4 2 12 10 1 10 1 2 3 35 35 35 35 35 35 | Hatch Act violations, 5 USC \$118k | 1 | 1 | - | ı | 1 | 1 | - | ı | I | 1 | _ | t |
| 16 7 8 2 4 1 4 1 4 1 4 1 2 3 5 1 2 3 5 1 2 3 5 1 1 1 1 2 3 5 3 5 3 5 3 5 3 5 3 5 5 3 5 3 5 5 3 5 3 5 3 5 3 5 5 3 5 3 5 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 5 3 3 5 </td <td>FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC §§309,312,316,325,405,406</td> <td></td> <td>78</td> <td>19</td> <td>20</td> <td>23</td> <td>23</td> <td>24</td> <td>26</td> <td>19</td> <td>5</td> <td></td> <td>4</td> | FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC §§309,312,316,325,405,406 | | 78 | 19 | 20 | 23 | 23 | 24 | 26 | 19 | 5 | | 4 |
| 5 1 2 2 2 1 <td>Common carrier services, 47 USC §§204,205,214,221,222</td> <td></td> <td>7</td> <td>8</td> <td>2</td> <td>4</td> <td></td> <td>4</td> <td></td> <td>1</td> <td>2</td> <td>1</td> <td></td> | Common carrier services, 47 USC §§204,205,214,221,222 | | 7 | 8 | 2 | 4 | | 4 | | 1 | 2 | 1 | |
| 110 95 28 29 33 26 30 28 19 5/ 9 8 - - 2 2 4 2 3 10 1 10 1 - - 1 1 2 22 14 10 1 2 3 5 - - | Safety & spec. services, 47 USC §359 Field eng. & mon., 47 USC §303(m)(2) | | M M | п | 250 | 04 | 7 1 | - 11 | त्नं । | 1 1 | 1 1 | 1 1 | 1 1 |
| 13,822,845, 5/9 8 - 2 2 4 2 3 738 | TOTALS | | 95 | 28 | 29 | 33 | 26 | 8 | 28 | 19 | 7 | | 5 |
| 738 10 1 10 1 2 3 5 3 5 TOTALS 22 14 10 1 2 3 5 3 5 | FEDERAL MARITIME BOARD Regulatory, 46 USC §\$813,822,845,861,891,1101 | _ | 80 | t | ı | 7 | 7 | 7 | 2 | r) | m | | F |
| TOTALS 22 14 10 1 2 3 5 3 5 | 7 | 10 | 1 2 | 1 0 | 1 | 1 1 | H 1 | r-1 i | ⊢ 1 | 2 | 7 | ······································ | — |
| | | 22 | 14 | | 리 | 2 | 3 | 5 | 3 | 5 | 5 | | 2 |

(Footnotes at end of table)

TABLE 10 - TOTAL TIME FROM ASSIGNMENT TO EXAMINER TO DECISION BY EXAMINER IN PROCEEDINGS IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/

| | | | | - | Number of | | proceedings | dings | | | | |
|--|-----------|-----------|----------------|----------------|-----------|----------|-------------|----------|---------------------|------|---------------|----------|
| | Total | F | Decision | | Over | m | Over | o. | Over | H | Over | |
| TYPES OF PROCEEDINGS | examiner | | rendered | | months | S | months | S | year | | 7 | |
| REPORTED BY THE AGENCIES | decisions | | in 3 | 3 mos. | but not | ot | but not | ot | but not | lot | years | 70 |
| | on merits | | or less | | | 9 | over 12 | 12 | over 2 | 2 | | |
| | 1957 | 1958] | 1957 | 1958 | 1957 | 1958 | 1957 | 1958 | 1957 | 1958 | 1957 | 1958 |
| FEDERAL POWER COMMISSION | | | | | | | | | | | | |
| NGA §4(e) investig., 15 USC §717c(e) | 14 | N | - - | | ī | F-1 | ~ | 7 | ~ | H | | , |
| NGA §§4(e),5(a) new schd, susp, &rate | | | | | | | | | | | | |
| determ., 15 USC §§717c(e),717d(a) | m | <u>~~</u> | 1 | , i | 1 | H | 7 | H | r-i | F | | ⊢ |
| MGA §5(a) cost and rate | | | | | | • | | | | | | |
| determinations, 15 USC \$717d(a) | 7 | Т | ri | ī | ī | ī | H | Ţ | 7 | • | i | ı |
| NGA \$7(a) extension of facilities | | | _ | | | | - | | | | - | |
| certificates, 15 USC §717f(a) | m | ſ, | ı | N | 7 | ന | H | 1 | ı | ı | 1 | ī |
| NGA §7(c) construction certificates, | | | | | | | | | | | | |
| 15 USC \$717f(c) | 6 | 15 | 2 | 7 | 4 | 80 | m | ī | 1 | ı | 1 | ī |
| NGA §§7(a), (c) ext. of fac. & constr, | | | | | _ | | | | | | - | |
| certifs., 15 USC §§717f(a),717f(c) ²⁴ | | ı | | ī | | Ţ | | ī | | 1 | | 1 |
| NGA §§3,7(c) export and import appl- | | | | | | _ | | | | | | |
| ications, 15 USC §§717b,717f(c) | 1 | T | , | T | 1 | <u> </u> | I | 1 | ī | ī | 1 | 1 |
| NGA §§7(b),(c) constr. or aband. of | · | | | | | | | | | | | |
| serv. certif., 15 USC §§717f(b),(c) | H | 4 | Ä | 7 | ī | ત | ſ | ī | ī | 1 | 1 | 1 |
| NGA §7 certificates other than §7(c) | | | | | | | | | | | | |
| certificates, 15 USC §717f(e) | ī | ī | 7 | ī | ı | ı | ī | 1 | J | ī | ١ | i |
| FPA §4(e) water power construction | | | | | | | | | / ////// | | | |
| licenses, 16 USC \$797(e) | 1 | ম | ī | ī | 7 | н | , | 근 | 1 | 1 | 1 | 1 |
| FPA §§4(g),23(b) land occup. & navig. | | | | | | | | | | | | |
| stig., 15 USC | | ī | | ļ | | i i | | <u> </u> | | ī | - | I |
| FPA §205 rate determs., In USC \$6240=1 | - | • | • | • | - | ſ | • | | | | | |

| FPA \$206 investigats., 16 USC $\$824e^{2/}$ FPA rule making, 16 USC $\$825h^{2/}$ | | 1 1-1 | | 7-1 | | · 1 | | 1 | | 7 7 | ****** | | |
|--|--------------|-------------|------|---|-----|-------|--------------------|------|-----------|-----|--------|-------|---|
| TOTALS | 32 | 2 | 4 | 13 | 9 | 16 | 77 | 7 | Φ | 2 | | 2 | _ |
| FEDERAL TRADE COMMISSION Cease & desist orders, 15 USC §§13. | | | NII— | | | | | | | | | | |
| 21, 45(b),52,55(a),68d,69f,1194 | 72 | 59 | ı | 4 | 4 | 6 | 22 | 16 | 97 | 23 | | 7 | |
| HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, | | | · | -, · , · , · , · , · , · , · , · , · , · | 1 | | | | | | | | |
| 21 USC §355(e) | 1 | • | 1 | | ī | T | | 1 | - | 1 | T | 3 | т |
| SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights | | | | | | | *** | | | | | | |
| determinations, 42 USC §405 | (4202)(8272) | (8272 | | | | ATA N | DATA NOT AVAILABLE | AILA | JE STE | | | | |
| INTERIOR DEPARTMENT BUREAU OF LAND MANAGEMENT GOVERNMENT CONTRACTOR | | | | | | | | | | | W | | |
| 30 USC \$613(c) (Supp. V) Private contests 43 USC \$1201 | 83 | 31 | m | 7 | 30 | 29 | 444 | 30 | 9 | 15 | | ı | |
| 30 USC \$527(c) (Supp. V) Placer mining orders. 30 HSC 8621 A.N | 7 | иv | ı | H | Ŋ | r-l | 2 | r) | 1 | i | 1 | ı | |
| Appeals from Range Managers' | | | · | ī | ī | ~ | 1 | 7 | ī | 7 | | I | |
| decisions, 43 USC §315h FRC enforcement proc., 43 USC §315a | 33 | 19 | не | 1 1 | N 1 | 1 6 | σ. | ın c | 17 | ý | | œ | |
| TOTALS | 121 | 116 | 7 | 8 | 37 | 35 | 54 | 42 | 23 | 73 | 1 | 1 « | |
| BUREAU OF INDIAN AFFAIRS | | | | | | | | | | | | | , |
| Indian probate, 25 USC §§372,373 | (2319) | (2319/0611) | | | | ATA 1 | DATA NOT AVAILABLE | ATTA |] E | | | | - |

TABLE 10 LOLAL III. SIGNENT TO EACH CONTHE NERITS AFTER HEARING 1/ (Cont'd.)

| MARTIER HEARING 1/ (Cont'd.) | proceeding Over 6 months but not | 1958 1957 1958 1957 19 978 273 262 | 28 24 - | 1 | 1158 | 10 8 8 - 2 2 3 0 4 9 3 | 11 9 9 - 2 |
|------------------------------|--|---------------------------------------|---|---|-------------------------------------|--|--|
| CITATI | Total Decision examiner rendered decisions in 3 mos. 1957 1958 1957 1958 | 2276 2790 1216 1532 | 129 168 14 6 290 257 95 - | 30 67 22 5 | 2/25 3283 1347 1543 92 94 86 8 3 | 21 26 4 6 | 22 29 4 7 9 |
| | TYPES OF PROCEEDINGS REPORTED BY THE AGENCIES | Finance and transfer of operating | Rates, fares, and charges, 49 US. \$\$56(6),16(1),906(e),908(d),100. Bankruptcy Act reorganizations, 11 USC \$505 | Compliance and rules investigations, 49 USC §§305(e),312,904(e),1010(f) | FICE OF App. §§9 | US' US' USC | minimum wage , 40 USC §276a TOTALS |

| 50,1 1 | 19 |
|--|--------|
| 0(11) 1 2/ | 16/ |
| 102.19 | 187 |
| 1 4 | 7 |
| ଅମୁଲ୍ଲ | 23 |
| ्र इ.स <u>्ट</u> | 68 |
| 5 22 2 | (48) |
| PUST DIFFICE DEFARMANT. Frank & lotter, 39 USO \$\$559,752 "Inlandul" orders, 39 USC \$2592 Mailability, 18 USC \$\$1302,1461 2nd class applications, 39 USC \$232 | TOTALS |

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12 mg

17.00

(Footnotes at end of table)

IN WHICH EXAMINERS ISSUED DECISIONS ON THE MERITS AFTER HEARING 1/ (Cont'd.)

| | | | | Number of | | rocee | proceedings | | | | |
|---------------------------------------|-----------|----------------|-------------|--------------|------|-------------|-------------|------|---------------|-------|-------------|
| | Total | Decision | sion | Over | | Over 6 | 9 | Over | 1 | Over | |
| TYPES OF PROCEEDINGS | examiner | rendered | | months | | months | | year | | 7 | |
| | decisions | in | 3 mos. | but not | | but not | t) | | ot To | years | |
| | on merits | or | Tess | | | | 12 | - 1 | 2 | | { |
| | 1957 1958 | 3 1957 | 1958 | 1957 | 1958 | 1957 | 1958 | 1957 | 1958 | 1957 | 1958 |
| SECTIVITIES AND EXCHANGE COMMISSION | | | | | | | | | | | |
| Stop orders (SA), 15 USC \$77h(d) | 10 4 | , | 1 | 8 | 1 | Ý | 7 | ı | 61 | ı | ı |
| Rev. or susp. of broker-dealer, MASD | 13 | - | - | 6 | | 7 | 7 | t | (4) | ı | • |
| Suspension or withdrawal of registra- | | | î - | 1 | ' | † | | | | | |
| tion (SEA), 15 USC \$§78s(a),78x(b) | 1 | - | ī | ī | 1 | ī | ı | 1 | 1 | 1 | ٠ |
| Approval of sales, acquisitions, ex- | | | | | | | | | | | |
| emptions, or reorganization plans | | | | | | | | | | | |
| 00 | 1 | ·- | 7 | - | ī | ī | ī | ı | 1 | 1 | 1 |
| Exemption or other relief (ICA), | | | | | | | | , | | ,, | i |
| 1,7,8,T | 7 | | i | ı | ï | ľ | ī | -1 | , | | ١. |
| IAA registration, 15 USC §80b-3 | | | 1 | i | ī | ı | ı | l | -1 | ı | 1 |
| Disbarment (SA, SEA), 15 USC §§778, | | | ٢ | | 1 | | 1 | | 1 | | - |
| &Ca- | | | -1 C | 2, | - | 0 | | - | 3 | | |
| TOTALS | 9T 47 | 2 | 7 | 7 | 1 | 1 | 7 | 7 | | 1 | |
| SUBVERSIVE ACTIVITIES CONTROL BOARD | | | | | | | | | | | |
| | 7 | | | + | 2 | 1 | 1 | 2 | 1 | 1 | - |
| organizations, 30 usc %%/32,/324 | | | | | - | | | | | | |
| TREASURY DEPARTMENT | | | | | | | | | | | |
| COAST GUAKU | | | | | | | | | | | |
| licenses, 46 USC §\$239,239b | 1354 1479 | 1225 | 1357 | 78 | 70 | 41 | 31 | ន | 14 | | 7 |
| | | | • | • | • | - | Ī | | <u>-</u> ! | • | |

Table 10 corresponds to Table VI of the 1957 report. Figures for 1957 which appeared in the first two columns of Table VI under the headings, "I mo. or less" and "I to 3 mos.", are combined in this report under the heading, "Decision rendered in 3 mos or less." The last two columns in this table report cases in the hands of examiners from I to 2 years and over 2 years. Last year the agencies were asked to report in a single figure all cases in the hands of examiners more than 12 months. Therefore 1957 cases in this category are reported in the column entitled "Over 1 year but not over 2" even though some of them may have been assigned to examiners more than 2 years.

GRAND TOTAL - 21 AGENCIES

Type of proceeding added to those listed last year.

Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957

Except for safety enforcement proceedings, the period of rime reflected in the CAB figures is the period from opening of the hearing or, if prehearing conference was held, from such prehearing, to disposition by the examiner. With respect to safety enforcement proceedings the periods indicated are from date of assignment to an examiner. All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set of figures in the 1957 report, and therefore are reported again in that fashion in this table under the column heading "1957." 7

For 1957 the FMB computed over-all examiner time from the date the examiner was directed to hold om date of assignment to an examiner. 2

- Total figure, 148, includes 12 cases not reported in the other columns of this table. These were reopened or remanded cases as to which data relative to time involved are not available. 9
 - Includes 3 reopened or remanded cases for which time data not available.
 - Includes 4 cases for which time data not available.

8

- Time intervals involved in the 41 Post Office fraud and unlawful order cases decided on the merits after hearing in 1957 were not reported separately, but rather were combined with such data for 37 Includes 25 cases for which time data not available. Includes 2 cases for which time data not available. 91 힑 1

TABLE 11 - TIME UNDER ADVISEMENT¹/ BY EXAMINERS

| ŀ | | Г | | | 丁 | 7- | _ | _ | | | | | | | | | | | | | | | | | | | |
|--------|---------------|----------------------|--------------------------|-----------|------|------------------------|---------------------|----------------------------------|-------------------------|--------------------------------------|------------------------------|-------------------------------|--|----------------------------------|---------------------------------|--------------------------------|-------------------------------------|--------------------------------------|--|--------|-------------------------|-------------------------------|-------------------------------|-------------------------|-----------------------------------|----------------------------|--------------|
| | | r ad- | Visement | | 1050 | | | | _ | _ | | | 1 | ' | , | | | ı | 1 | - | ' | | 1 | 1 | ı | 1 1 | ı |
| | | Under | vise | over | 1057 | | | • | | • | _ | | 1 | | ı | | | | ı | 1 | 1 | | | 1 | 1 | ١ , | |
| | | 9 | hs | 10 12 | 1958 | | | ı | | ı | | | ı | ı | 1 | • | | 1 | ı | 1 | 7 | | m | · | - · | | 1 |
| | SS | Over | months | over 12 | 1957 | | | 1 | | ı | | | • | | 1 | | | | 1 | 1 | ' | | 7 - | ۱ ۲ | 1 | ı | |
| 1000 | or rrocedings | ო . | ns tot | o G | 1958 | | | 4 | | <u> </u> | | | 1 | 1 | 1 | | | ı | ı | r{ t | | г | <u> </u> | -1 | 1 | | 1 |
| 4 | | Over 3 | months but not | over | 1957 | | | 1 | | • | | c | 7 | | 1 | | | | ī | 1 0 | 1 | c | ν ⊢ | l I | - | : 1 | |
| Number | į, | ٠, | a c | 3 | 1958 | | | 7 | ı | ⊣ | | ,- | 4 | ı | ı | | | • | 1 | 1 | - | | 0 V | ı | r(| m . | - |
| ž | 4 | Over | מים ליול היול היול | over 3 | 1957 | | | П | | • | | 0 | 1 | _ | ı | | | _ | l c | 12 | | ٠ | 4 | 1 | Ы | īΟ | _ |
| | | visement | th | less | 1958 | | | m | r | - | - | , | 1 | ۱ ر | 1 | | ,- | - | ı ,- | 11 | | ·c | 14 | ı | ı | mı | • |
| | 17.0 | visement | I month | or le | 1957 | | | ı | | · · | | ı | | ٢ | 1 | • | | ,- | 10 | 19 | | 14 | 9 | ı | J | 9 | |
| | | ner | decisions | On merits | 1958 | | (| יעכ | , | 1 | | m | • • | ۲۰ | 1 | _ | - | 1 1 | 2 % | 20 | | 18 | 20 | , , | 7 | ∞ r | _ |
| | Total | examiner | deci | On me | 1797 | | , | 7 | 1 | | | 7 | | (r |) | | 1 | ,- | 4 | 13 | | 31 | 15 | 1 0 | 7 ; | = | |
| | | TYPES OF PROCEEDINGS | KELUKIED BY THE AGENCIES | | | AGRICULTURE DEPARTMENT | 7 USC 6608c(15) (A) | CEA and P&S cease and downer and | 7 USC \$\$13a, 193, 211 | P&S license revocation or suspension | and cease and desist orders, | / USC \$\$204, 205, 213, 218d | Mas rate determinations, 7 USC \$2072/ | PACA license denial, 7 USC §499d | CEA suspension or revocation of | registration and suspension of | trading privileges, 7 USC §§6g, 92/ | CEA susp. of trading priv., 7 USC 89 | FACA Lic. susp. or rev., 7 USC §499h3/ | TOTALS | CIVIL AFRONAUTICS BOARD | Route licensing, 49 USC \$481 | Adequacy of service 60 mes 20 | Mail rates, 49 USC 6486 | Carrier relations 40 ms secon con | Agreements, 49 USC \$4922/ | |

| 1 1 1 1 | 17 | | 1 | L 1 3 | | 1 1 | • |
|---|---|--|--|---|--------|--|---------------------------|
| 1 1 | | | | 1 1 1 | | 1 | |
| 1114 | 14 63 86 | • | 61 | 1 1 1 | 2 | ന പ ി | 4 |
| 1 1 1 1 | നയി | 1 | 4 | 1 t t | 4 | r-1 r-1 1 | 2 |
| ıdım | 14 134 160 | 1 | ø | തലി | 10 | 181 | 2 |
| 1115 | 14 29 | ₁ -1 | 7 | നപപ | 12 | 411 | 7 |
| 428 | 9 161 193 | 1 | 2,0 | 84 I | 22 | 27.1 | 9 |
| 1460 | 32 | 1 | 24 | 010 | 29 | 124 | 9 |
| - | 138 94 288 | 1 | 52 | 9 to 0 | 19 | ।ਜਜ | 2 |
| 1468 | 90 | l l | 50 | 11 | 65 | 1 ' ឡ | 70 |
| 33 65 H | 177 469 746 | | 78 | <u> ጉ</u> የህ _{የህ} | 95 | 8 5 7 | 17 |
| - 6 - 28 28 | 210 | 러 | 85 | 94 A | 110 | . 9 . 01 | 22 |
| Exemptions, 49 USC §496 Commercial rates, 49 USC §642 Econ. enf., 49 USC §§425,495,641,642 Medical review, 49 USC §552 | Safety enforcement, 49 USC \$5594/ Safety enf. non-hearing, 49 USC \$5594/ TOTALS | CIVIL SERVICE COMMISSION Hatch Act violations, 5 USC §118k | FEDERAL COMMUNICATIONS COMMISSION Broadcast radio and television, 47 USC \$\$309,312,316,325,405,406 | Common carrier services, 47 USC §\$204,205,214,221,222 Safety & spec. services, 47 USC §359 Field eng. & mon., 47 USC §303(m)(2) | TOTALS | FEDERAL MARITIME BOARD Regulatory, 46 USC §§813, 822, 845, 861, 891, 1101 Subsidy, 46 USC §1101 Subsidy, 46 USC §1101 | Charlet , Jose Lyr. J-13- |

(Footnotes at end of table)

(Cont'd.) TABLE 11 - TIME UNDER ADVISEMENT¹ BY EXAMINERS

| Over 6 Under ad- | months visement | | | 1957 1958 1957 1958 | | 1 | | 1 | 1 | 1 | 1 |] | J | 1 | 1 | | 1 | 1 | 1 | | 6 1 |
|------------------|------------------------------|--|--|-----------------------|---|------------------|-----------------------|--------------------|-----------------------------|-----------------|--|-------------|--------------------------------|--------------------------------------|-----|-------------|----------|----------|-------------------------------------|----------|--------|
| Seeding 3 | | ــــــــــــــــــــــــــــــــــــــ | | 1958 | | 7 | 2 | · | r-l | رب دی | 1 | 1 | 7 | 1 | 1 | | 1 | 1 | 1 | 7 | 7 11 |
| ∜ | months | | | 1958 11957 | | 1 6 | - 2 | · · | | | | | | | | | | <u> </u> | _ | 1 | 6 |
| Number Over 1 | month | hat not | over 3 | 1 | _ | 7 | | | 7 | 7 | | 1 | l | - I | 1 | | | | | | 10 |
| r 3d- | n I | n th | less | 11958 | | ~ | · | · | m | 60 | ı | | - -1 | ı | r-1 | | ı | 1 | | <u>'</u> | 9 15 |
| Muder | vise | | | 19 | ╄ | | | ,l | r-1 | | | | H | | | | _ | _ | -1 | | |
| rai | examiner | decisions | on merits | 57 11 958 | | 14 | <u>س</u> | 2 | ى ب | 9 15 | 1 | | 7 | 1 | - | | <u>.</u> | | | | 32 37 |
| 101 E | TYPES OF PROCEEDINGS exact | A THE ACENCTES | THE POST OF THE PO | 1957 | | 15 USC \$717c(e) | usc §§717c(e),717d(a) | te USC §717d(a) | f facilities C \$717f(a) | n certificates, | 1 \$\$7(a),(c) ext. of fac. & constr.\ ertifs. 15 USC \$\$717f(a),717f(c)2/ | port appli- | or aband, of SC §\$717f(b),(c) | es other than \$7(c) S USC \$717f(e) | ion | land occup. | JSC 88 7 | , 16 US | . \$206 investigats 16 USC \$824e2/ | 6825h2 | TOTALS |

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| 3 | 1 | | 1 | 1 1 | 1 1 | • | |
| 8 | 1 | (SLE) | 47.7 | 근 1 | 77 | 23 | BLE) |
| 2 | | AVAILABLE | I | 1 1 | 1 1 | 1 | VAILA |
| 17 | | NOT | 37 | r 4 | не | 847 | (DATA NOT AVAILABLE |
| 32 | | (DATA | 30 | 4 1 | 18 | 52 | (DATA |
| 32 | 1 | | 23 | ⊣ 7 | 10 | 37 | |
| 35 | | | 53 | m I | 9 6 | 69 | |
| 59 | 1 | \$27.3 | 81 | φ <i>ο</i> | 19 | 116 | 119 |
| 72 | | 4202)(8272) | 83 | <u> </u> | 28 | 121 | (2319/1611 |
| FEDERAL TRADE COMMISSION Cease and desist orders, 15 USC §\$13, 21,45(b),52,55(a),684,69£,1194 | HEALTH, EDUCATION, AND WELFARE DEPT. FOOD AND DRUG ADMINISTRATION Suspension of new drug applications, 21 USC §355(e) | SOCIAL SECURITY ADMINISTRATION Appeals from benefits rights determinations, 42 USC \$405 | INTERIOR DEPARTMENT BUREAU OF LAND MANAGEMENT Government contests, 43 USC §1201, 30 USC §613(c) (Supp. V) | Private contests, 43 USC \$1201, 30 USC \$527(c) (Supp. V) Placer mining orders, 30 USC \$621(b) | Appeals from Range Managers' decisions, 43 USC §315h FRC enforcement proc., 43 USC §315a_ | | BUREAU OF INDIAN AFFAIRS Indian probate, 25 USC §§372, 373 |

frontnotes at end of table

TABLE 11 - TIME UNDER ADVISEMENT=/ BY EXAMINERS (Cont'd.)

| | | 1 | ī | 1 | · · | • | 1 | 1 | 1 | 1 | T | - | | 1 | Н | | 1 | 1 |
|--|------------------------------------|-------------------------------------|------------------------------------|--|--|--------------------------------|--------------------------------|------------------------------------|-----------------|--|--------------------------------|-----------------------------------|--------|------------------------|---|----------------------------------|--------------------------------------|--------|
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| , u | | | 12 | <u> </u> | | 14 | | | | | | | 87 | <u>-</u> | 10 0 | | - | 2 9 |
| | Ç Ç | 20 | 34 | - 7 | | 15 | 1 | - | 7 | H | m | - | 162 | × | 18 | | 7 | 36 |
| | | | | - | | | | | | · | | | | C | 1 4 | ī | 2 | 8 |
| | 7.7 | m | m | 1 | ı | ri | ī | 1 | н | 1 | <u> </u> | 1 | 20 | Ÿ | 17 | m | 00 | 39 |
| | | | | | | | | | | | | | | | 00 | | | 22 |
| , | 157 | 36 | 50 | 2 | <u>'</u> | 33 | | ' | m | 7 | m | | 288 | | | m | 13 | 8 |
| · | | | | | | | | | | | | 7 7 | (288) | , | 25 | - | יא | 48 |
| NATIONAL LABOR RELATIONS BOARD / CA cases (alleged §8(a) unfair prac- | tices by employer), 29 USC §160(b) | fair union pract.), 29 USC \$160(b) | (C) union pract.), 29 USC \$160(b) | CD cases (alleged §8(b)(4)(D) untair union pract.) 29 USC §§160(b),(k) | RC cases (pet. for cert. of represent- | CA - CB cases, 29 USC \$160(b) | CA - CC cases, 29 USC \$160(b) | CA - CD cases, 29 USC §§160(b),(k) | 159(c)(1)(A)(i) | CA - RD cases (incl. decert, petit.), 29 usc ss160(h).159(c)(l)(A)(ii) | GB - GC cases, 29 USC \$160(b) | GG - GD cases, 29 USG §160(b),(k) | TOTALS | POST OFFICE DEPARTMENT | Fraud & lottery, 39 USC \$9239,732 "Tr. 1 242-511" orders, 39 USC \$2594 | Mailability, 18 USC §§1302, 1461 | 2nd class applications, 39 USC \$232 | TOTALS |

(Footnotes at end of table)

..... - 1 IME UNDER ADVISEMENTA! BY EXAMINERS (Cont'd.)

| nos | Over 6 Under ad- | months visement | oc ov | over 12 1 yea | 8 1957 1958 1957 1958 | | ı | 2 | 1 | | - | 1 | 1 | 1 1 | | 1 | 3 3 - | | 2 1 - 1 | | 2 14 22 15 |
|---------------|------------------|----------------------|--------------------------|-----------------|-----------------------|---------------|--|-----------------------------------|---|-------------------------------------|-----------------------------------|--------|---|----------------------------------|---------------------------------------|----------------------------------|--------|--|---------|---|--------------------------------|
| f Proceedings | ю | months | - | - (| 1957 1958 | | | 7 | 1 | | | 1 | - | | | | 7 | | H | | 53 42 |
| Number of | | month | C | | 1957 1958 | | | 6 | - | _ | | 1 | , | | | 1 | 12 5 | | 1 1 | | 72 102 |
| | Under ad- 0 | visement m | | SS | 1957 1958 1 | | | 2 7 | - | - | | 1 | 1 | |) | 1 | 2 10 | | 1 | | 15 1298 |
| | | examiner vi | | erits | 1958 | · · · | | 3 12 | 1 | | | 1 | · · | | | 1 | t 18 | | 3 4 | | 1479 1215 |
| | Total | exan | dec | uo | 1957 | | | 5-3 13 | | | | l L | | | | | 24 | | | | 1354 |
| | | TYPES OF PROCEEDINGS | REPORTED BY THE AGENCIES | | | GE COMMISSION | Scup of ders (SA), 13 USC \$//n(a) Bev. or susp. of broker-dealer, NAS | member (SEA), 15 USC §§780(b),78c | Suspension or withdrawal of registra- tion (SEA), 15 USG \$\$78s(a).78x(b) | Approval of sales, acquisitions, ex | emptions, or reorganization plans | 100 | Exemption or other relief (ICA), 15 mSC 8880a-3.6 7.8 17 39 40 41 | IAA registration. 15 USC \$805-3 | Disbarment (SA, SEA), 15 USC \$\$77s, | 77sss,78w(a),79t,80a-37,80b-112/ | TOTALS | SUBVERSIVE ACTIVITIES CONTROL BOARD Communist action. Front. infiltrated | Մ | TREASURY DEPARTMENT COAST GUARD Suspension or revocation of marit | licenses, 46 USC \$\$239, 239b |

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| † | l | | | Ç | 1 | | 199 | | |
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| + | • | | | 5 | 2 | | 3175 | 1 | |
| 1 | 귀 | | , | 1 | 31 7 32 19 2 40 | | 1930 | 1 | |
| | | | | | <u></u> | | 2167 | | |
| | 1 | | , | 1 | 321 | | 1960 | | |
| | _ | | | | 31 | , | 6395 | 1 | |
| | 2 | | | | 34 | , | 4887 |) | |
| | DIRECTOR OF PRACTICE 5 11SC \$261 | Disbarment of Suspension, | TES ALCOHOL AND TOBACCO TAX DIVISION | 26 11SC 665304 | Fermit proceduits, 2000 | 5712 5713, 27 USC \$204 | | CHECKED'S LC CHILLE | STANDED TO TAKE TO A MARING ALLE |

Corresponding deta appeared in the last six columns of Table VIII less." Similarly, figures which appeared last year in the columns entitled "31 to 60 days" and "61 to 90 days" are combined in this table under the heading "Over 1 month but not over 3." The last two of the 1957 report, Figures for 1957 which appeared in Table VIII in the columns entitled "15 days or less" and "16 to 30 days" are combined in this table under the heading, "Under advisement 1 month or For purposes of this table the period of time under advisement by an examiner is measured from final columns in this table report cases under advisement by examiners from 6 months to 1 year, and over submission to the examiner, that is, the date the last brief and proposed findings were filed, to CLALOL GRAND ᆔ

- months but not over 12" even though some of them may have been under advisement for more than 12 months. more than 6 months. Therefore 1957 cases in this category are reported in the column entitled "Over 6 l year. Last year the agencies were asked to report in a single figure all cases under advisement for
 - Substituted for "CEA and PACA license revocation or suspension, 7 U.S.C. 69, 499h" in the 1957 report. Type of proceeding added to those listed in 1957 report.
 - 3
- Breakout of this figure into shorter periods All CAB safety enforcement proceedings, hearing and non-hearing, were combined in a single set Cases reported as being under advisement 90 days or less. figures in the 1957 report. isil
 - 1957 data on time from final submission to examiner to issuance of interim report not available. Includes estimates in some cases because exact periods are not known. 9

is not available.

109

TABLE 12 - HEARING EXAMINER STAFF - DAYS PER MAN-YEAR IN HEARINGS AND PRE-HEARING CONFERENCES - AVERAGE NUMBER OF DECISIONS ON THE MERITS - NUMBER OF PROCEEDINGS ASSIGNED FOR CONDUCT OF HEARING ONLY!

| | N | Nimbor | | | | | | | | | |
|-----------------------------|----------------|-----------------------|----------------|------------|-------|------------|--------------|-------------------|--------------|---------------------------|---|
| | YOV | i i | .4 | rocal | | Aver. | Aver. number | Aver. | Aver. number | Number of | 100 |
| | | | Y | examiner | ner | of da | of days in | decis | decisions on | urocae | 1.0 |
| | 0 | section II | - | man-years | ears | heari | hearings and | merits ner | Sner | Procedungs accioned to | 281170 |
| AGENCY | nea | nearing | | available | able | confe | conferences | man-v- | man-vear in | hearing | 0, 10, 10 |
| | exal | examiners emplomed | | to agency | ency | per m | per man-year | types of | of | examinera | i d |
| | <u>1</u> | Dakordina | | during | ልስ | in all | _ | proce | proceedings | for conduct | 1000 |
| | E - | | | the fiscal | iscal | types of | of | listed in | i in | of bearing | ייייייייייייייייייייייייייייייייייייייי |
| | | TOTAL TRE | | year | | proce | edings | Table | Tables 1-11 | ביין מיין דרים מיין | 20 |
| | 22 | 7227 | 1920 1957 1958 | 1957 | 1958 | 1957 | 1957 1958 | 1957 | 1958 | 1957 | 1050 |
| Apricalture | | | _ | | | | | | | | 3 |
| | <u>α</u> | <u>_</u> | <u>ب</u> | 5 | 'n | 72.4 | 49.6 | 4.8 | 4 | 73 | 78 |
| Civil Aeronautics Board | 23 | 23 | 57 | 23 | 23.6 | 26.7 | 27.3 | 2 70 | 2/31 | | ; |
| Classiff Council and Career | , | , | | | | } | ; | 0.02 | 31.0 | 1 | • |
| CTATE SELVICE COMMISSION | - - | rI | -4 | .7 | | 5.5 | 3/2 | 2.7 | - | ı | |
| Fed. Communications Comm. | 10 | 12 | 13 | - 0 | ,, | `` | (| ļ | | | _ . |
| | | } | } | 7.0 | 7-77 | 14 | 29 | 10.9 | 8.6 | 1 | |
| Fed. Maritime Board | 2 | 9 | 9 | 4.9 | 9 | 7 66 | 25.3 | | | | |
| | | | | |) | ; | | 7. | 2.3 | ı | ı |
| red. Power Commission | I | H | 11 | 10.7 | 10.6 | 107.7 5 | 5/72.5 | ო | 3,5 | ۱. | 6/62 |
| Fed. Trade Commission | ,- | 12 | , | 7 [] | Ç | | | | 1 / 1 | | 7 |
| | 1 | 1 | 7 | 11.4 | 77 | 58.8 | 65.3 | , , 50 | 6.4/ | ı | |
| HEW, Food & Drug Admin. | - | | - | 6. | - | 6.5 | 23 | ı | ı | | c |
| | | 1 | | | | | | | | | 1 |
| new, soc. security Admin. | 23 | 55 | 81 | 34 | 7.97 | / <u>8</u> | 81 | 123.6 | 54.8 | ı | 1 |
| Interior, Land Mgmt. | 4 | Q | 6 | 9-9 | 6 | 29.1 | 21.8 | 8 | 12.0 | l | |
| | - | - | _ | - | | _ | - | 1 | - /: | | — I |

| ı | ı | ı | 9 | • | 1 | ı | ı | 1 | ı | 555 |
|--------------------------|---------------------------|-------------------------|------------------|--------------------------|------------------------|-----------------------------|-----------------------------|-----------------------|---|--------|
| 1 | ı | ı | 4 | 1 | ı | 42 | 1 | ı | ı | 122 |
| 147.8 | 35 | 14.8 | 14.5 | 6.8 | 27.8 | 3.8 | 6.7 | 98.6 | 10 | |
| 188.5 | 39.1 | 15.7 | 11 | 7 | 10/ | 6.2 | 8. 8. | 104.2 | 12 | |
| <u></u> 81 | 34.4 | 12.2 | 31 | 27.8 | 22.2 - | 81.9 | 35 | 123.6 | 18.3 | |
| /8 | 25.7 | 20.8 | 37.5 | 28.5 | 35.2 | 29.5 | 97.5 | 135.2 | 20 | |
| 10.9 | 93.9 | 5.8 | 7 | 42.5 | 3.2 | 4.7 | 9. | 15 | რ | 337.6 |
| 12.3 | 100 | 9 | 7 | 41.3 | $\frac{9}{2}$ | 3.9 | αį | 13 | ю | 6.162 |
| 10 | 91 | 5 | 7 | 94 | 7 | ю | 1 | 27 | m | 340 |
| 12 | 95 | ø | 7 | 45 | 7 | m | | 14 | 'n | 318 |
| 13 | 105 | ؈ | 7 | 45 | 2 | m | r-1 | 13 | | 287 |
| Interior, Indian Affairs | Interstate Commerce Comm. | Justice, Alien Property | Labor Department | Nat. Labor Relations Bd. | Post Office Department | Securities & Exchange Comm. | Subvers. Activ. Control Bd. | Treasury, Coast Guard | Treasury, Dir. of Practice and Alcohol & Tob. Tax | TOTALS |

Table 12 corresponds to Table IX of the 1957 report. The column showing examiner man-years available to each agency includes the time of chief examiners, and takes into account entrances upon and separations from service as well as inter-agency loans of examiners, without reduction for any time necestions from service as well as inter-agency loans of examiners, without reduction for any time necestarily spent in training new personnel or in other duties "not inconsistent with duties and responsibilities as examiners." The column which reflects the average number of decisions issued per man-year

(Footnotes continued on next page)

Footnotes to Table 12 (Cont.)

- relates only to decisions on the merits in contested cases in those types of proceedings which are the subject of the foregoing tables, that is, proceedings within the limitations described in the text preceding these tables. However, the columns indicating average time in hearings encompass all types of cases in which examiners preside, whether or not they are reported in and number of cases assigned only for conduct of the hearing go beyond these limitations to the foregoing tables. 1
- If decisions in non-hearing safety enforcement proceedings are excluded from the computation, this figure is reduced to 11.7, 2
- The CSC examiner also conducts Hatch Act Sec. 9(a) cases, which are not reported in these tables. Number of The average hours in hearings and conferences per man-year in 1957 was 116.4 hours. days on which hearings and conferences were held is not available. \overline{a} 4
- If uncontested hearings are eliminated from this computation the average number of days figure is reduced to 52.8. 2
- <u>6</u>/ Uncontested cases.
- Consent decisions are excluded from 13.6 decisions per man-year in 1957 were consent decisions. the figure for 7
- 8/ Data not available.
- 5 second-class entry hearings were conducted by a presiding officer who is not a hearing examiner. His time is not included in the man-years figure. 6
- Default decisions are not included in 16.1 decisions per man-year in 1957 were default decisions. 1958. the figure for 의

APPENDIX

| | de | ys alter clsion i ich to f | n | | | |
|--|------------------------|--|--|---------------------------------------|---|---|
| Agency | Notice of appeal | Ercep- tions | Replies to excep- rions | Agenc, ra, enlarge time | Taking appeal stays inter- cadiate order | Form of excep- tions pre- scribe: |
| PCAP Suggested Rule Atomic Energy Commission(1) Civil Accountation Roard - Safety cases (3) Proderni Communications Commission(4) Proderni Deposite Insurance Corporation (5) Proderni Home Lonn Bank Boord(6) Proderni Hant Limm Bonad(7) Proderni Hant Limm Bonad(7) Proderni Hearery System(9) Interstate Commerce Commission(10) Justice - Alion Property(11) - Iomigration and Naturalization (12) Labor - Public Contracts Division(15) Prof. Office Department - pailability (17) Prof. Office Department - pailability (17) Security and Exchange Commission(19) Subversive Activities Control Board(21) Tressury - Coast Guard(23) - Committee on Fractice (25) | 10 10 10 10 10 | 20 20 20 30 15 15 20 15 30 30 20 20 20 20 20 20 20 | 10 (2) 10 10 15 10 20 10 10 10 10 10 10 10 10 10 10 10 10 10 | X X X X X X X X X X X X X X X X X X X | * X X X X X X X X X X X X X X X X X X X | *************************************** |

- 1 10 CFR 2.751-.752 Proposed. 24 Fed. Rog. 2592 (April 3, 1959) 14 CPR 301.26, 10. Generally there is no incormediate decision in an economic
- Anchemother decision in an proceeding, 14 CFR 302.28.
 47 CFR 1.153
 12 CFR 108.7 et suq.
 24 CFR 109.9
 46 CFR 201.228

- 18 CFR 1.30 12 CFR 263.7

- 9 11 CFR 263.7
 10 49 CFR 1.96, 97, 23
 11 8 CFR 502, 23, .24
 12 B CFR 502, 23, .24
 13 The Lime for filing a briaf in support of the approal may be anisrged, B CFR 3.3
 14 41 CFR 203, 10-.1
 15 29 CFR 102, 46
 16 "Upon special leave of the Board, any party may file a toply briaf upon such terms as the Bould may impose." 29 CFR 102, 46(a)
 17 39 CFR 201, 28-, 29

- 18 The time within which briefs tay be filed to be extended for a maximum of ten days. 31 CPR 201.29(f)
- 19 17 CFR 201.9-.11 20 15 days are sllowed in which to file briefs in support of exceptions. 17 CFR 201.31
- 21 28 CFR 201.22
- 22 "The parties, after the receipt of the recommended decision, shall have tice, which shall be fixed, within which to file with the Board exceptions to the recommended desision and supporting reasons for such exceptions." 28 CFR
- 14 The hearing examiner or the Commendant of the Coses Guard "may" stay the effect of the incormediate decision pending the appeal thereof. 46 CFR 137, 11-15
- 25 31 CFR 10.7(27)-(28)

PRESIDENT'S CONFERENCE ILLUSTRATIVE RULE

APPEALS FROM INTERMEDIATE DECISIONS

- (a) Notice of Appeal -- Any party may appeal from an initial or recommended decision of a hearing officer or from a tentative decision of the agency by filing a notice of appeal with the agency within ten days after service upon him of such decision.
- (b) Exceptions -- An appeal may be perfected by filing exceptions to such intermediate decision within twenty days after service of the decision.

- (c) Effect of Exceptions -- The effectiveness of the intermediate decision shall be stayed if any party files a notice of appeal and exceptions within the times specified above or if the agency upon notice to the parties undertakes to review the decision. Otherwise, the intermediate decision shall become the final decision of the agency.
- (d) Replies -- Within ten days after service of exceptions, any opposing party may file a reply to such exceptions.
- (e) <u>Content</u>--Exceptions shall identify specifically the findings, conclusions, or proposed action to which objection is made, and shall be supported by concise argument and by specific page references to the parts of the record and the legal and other authorities relied upon.
- (f) Enlargement of Time--The time periods prescribed by this rule may be extended by the agency for good cause.

| | | 1 | 2 | _3 | 4 | 5 | 6 | 7 |
|---|-------------|-----|----------|----------------|---------|------------|------------|---|
| PCAP - Suggested Rule Apriculture | ļ | Y. | ų | × | х | | | |
| AMS-Marketing Agreements (1) AMS-Perishabir Agricultural | ! | 1 | | X(25) | | х | | |
| Commodities Commodity E-change Authority | (2) (3) | | | X(25) X(25) | | х | | |
| Packer a and Stockyard | (4) | í ! | | X (25) | ì | l x l | | |
| Aromic Energy Commission | (5) | x | ĸ | X | X | l ^ | | |
| Civil Aermentles Board | (6) | Х | X | X | x x | | | |
| Federal Goal Mine Safety | • • | , | . | |) " | j j | | |
| Board of Review | (7) | X | X | ሄ (26) | | l | х | |
| Prdetal Communications Com- | | | | ļ | | , , | | |
| mission Federal Deposit Insulance | (8) | х | X(28) | ¥ | У | | (27) | Х |
| Corporat Lon | 703 | x | | *** | | | | |
| Federal Home Luan Bank Board | (9) (10) | X | X | X(26) | 1,,,,,, | ス(31) | x | |
| Pederal Marit Ime Board | an | Î | x | X(26) X(30) | X(32) | 1 | x | |
| Federal Poster Commission | (12) | x x | x | X (26) | X | | x l | Х |
| Pederal Reserve Roard | (13) | X | х | X(26) | | X(31) | x l | |
| Foreign Cluims Sottlement | • | J |] | | | | <i>"</i>] | |
| Comminsion | (14) | Х | х | X | Х | | | |
| Indian Glaims Commission | (15) | X | Х | X(25) | Х | | | X |
| Interior - Bureau of Land | | | , , | | | | - 1 | |
| Management | (16) | X | Х | X(29) | X | | | |
| Interstate Commerce Commission Justice - Office of Alien | (17) | х | X | X (26) | | | х | X |
| Property | /101 |) | x | | } . | | - 1 | |
| National Labor Relations Board | (18) | | | X | | . 1 | - 1 | |
| Securities and Exchange Com- | (19) | X | X | X(24) | X | i i | x) | X |
| mission | (20) | l x | x | X(26) | i i | 11/013 | _ 1 | |
| Subvetsive Activities Control | (20) | ^ | 1 ^ 1 | A(20) | ! | X(31) | x | ¥ |
| Board | (21) | x | x | х | l x | | x | X |
| Treasury-Federal Alcohol Admin- | | ì | 1 : | | | | | |
| istration Act | (22) | l x | X I | X | 1 | | 1 | |
| Veterans Administration | (23) | X | X | X | | | | |
| | · · | Į |] . | ļ | , , | | 1 | |
| Aererans Vommitari actom | (23) | * | X | X | | | | |

- 1. Exclude Initial day of period.
- 2. Include last day of period,
- When last day of period falls on a Saturday, Sunday or holiday the period is extended to include the next business day.
- When polind is less than seven days, intermediate Saturdays, Sundays and holidays are excluded.
- 5. Specific provision for including intermediate Sundays and holidays.
- 6. Part holiday not considered a holiday.
- Automatic extension of time based on location of parties or method of service of documenta.

| (2) 7 CFR \$ 47.25(a), 47.43(d) (3) 17 CFR \$ 6.22(f), 0.72(f) (4) 9 CFR \$ 0.22(f), 0.72(f) (5) 10 CFR \$ 2.701 (6) 14 CFR \$ 302.16 (7) 30 CFR \$ 401.6 (8) 47 CFR \$ 1.18 (9) 12 CFR \$ 308.16 (10) 24 CFR \$ 109.2(e) (11) 24 CFR \$ 201.101, 201.102 (12) 18 CFR \$ 1.13(a) (13) 12 CFR \$ 263.11(c) (14) 45 CFR \$ 501.7(a) (15) 25 CFR \$ 503.5 (16) 43 CFR \$ 221.96 (17) 48 CFR \$ 221.96 | 21) 28 CFR § 201.3 22) 26 CFR § 200.28 23) 38 CFR § 3.29 24) Saturdays on which the Board's officas are not open for husiness will be considered as holidays. 25) Saturday is considered a business day. 26) "Legal holiday" means legal holiday in the District of Columbia. 27) A half holiday is considered as a holiday Any document lodged with the Commission a 5 p.m. shall be deemed to be tendered filing as of the next succeeding busin day. 26) "Legal holiday" means Federal legal holid of "Legal holiday" means national legal holiday when period is less than ten days, intermed Saturdays, sundays, and holidays are excluded. |
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| (18) 8 CFR § 502.27 (19) 29 CFR § 102.83 | Saturdays, Sundays, and holidays are |

Explanatory Comment on Column 7

Seven of the twenty-three agencies which have rules relative to the computation of time have a provision for the automatic extension of the prescribed period of time when agency documents are served upon parties by mail or when parties live in designated geographical areas. The rules of three agencies provide that whenever a prescribed period runs from the service of agency notice or other document upon him and service is made by mail, three days shall be added to the prescribed period. The rules of a fourth agency provides that the three days shall be added only when the time allowed for filing a response following the service of a document by mail is ten days or less.

Three agencies, by rule, allow additional days for filing documents when the parties reside in designated geographical areas. The Federal Maritime Board allows five additional days for filing documents when the parties reside in Alaska, Washington, Arizona, California or beyond the continental United States. The Interstate Commerce Commission⁵ allows five additional days to any specified period when the general office of a person party to a proceeding or office of the practitioner representing him is located at or west of El Paso, Texas, Salt Lake City, Utah, or Helena, Montana. The rules of the Securities and Exchange Commissions allow five additional days to any prescribed period relative to filing of documents with it when the hearing officers and parties are residents of Montana, Idaho, Wyoming, Colorado, New Mexico, Utah, Arizona, Nevada, Washington, Oregon and California. Hearing officers and parties who reside beyond the confines of the continental United States shall have an additional period of twenty days within which to file documents with the Commission.

¹ Indian Claims Commission (25 CFR § 503.5(d)), National Labor Relations Board (29 CFR § 102.83) and Subversive Activities Control Board (28 CFR § 201.3).

² NLRB rules provide that three days shall not be added if any extension of such time may have been granted.

[§] Federal Communications Commission (47 CFR § 1.18(d)).

⁴⁴⁶ CFR § 201.102.

^{5 49} CFR § 1,21(c).

^{6 17} CFR \$ 201.13.

RESIDENT'S CONFERENCE ILLUSTRATIVE RULE

COMPUTATION OF TIME

In computing any period of time prescribed or llowed by the (agency) rules, by order of the (agency) r by any applicable statute, the day of the act, event, r default after which the designated period of time begins to run is not to be included. The last day of the beriod so computed is to be included, unless it is a Baturday, Sunday or a legal holiday, in which event the period runs until the end of the next day which is beither a Saturday, Sunday nor a holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays and holidays shall be excluded in the computation.

ADDITIONAL PRESIDENT'S CONFERENCE'S SUGGESTED ILLUSTRATIVE RULES

PRESUMPTIONS

Upon proof of the predicate facts specified in the subrules hereof without substantial dispute and by direct, clear, and convincing evidence, the Agency, with or without prior request or notice, may make the following presumptions, where consistent with all surrounding facts and circumstances:

- (i) Continuity. That a fact of a continuous nature, proved to exist at a particular time continues to exist as of the date of the presumption, if the fact is one which usually exists for at least that period of time;
- (ii) Identity. That persons and objects of the same name and description are identical;
- (iii) Delivery. Except in a proceeding where the liability of the carrier for non-delivery is involved, that mail matter, communications, express or freight, properly addressed, marked, billed and delivered respectively to the post office, telegraph, cable or radio company, or authorized common carrier of property with all postage, tolls and charges properly prepaid, is or has been delivered to the addressee or consignee in the ordinary course of business.
- (iv) Ordinary Course. That a fact exists or does not exist, upon proof of the existence or non-existence of another fact which in the ordinary and usual course of affairs, usually and regularly co-exists with the fact presumed;
- (v) Acceptance of Benefit. That a person for whom an act is done or to whom a transfer is made has, does or will accept same where it is clearly in his own self-interest so to do;

(vi) Interference with Remedy. That evidence, with respect to a material fact which in bad faith is destroyed, eloigned, fabricated, suppressed or withheld by a party in control thereof, would if produced, corroborate the evidence of the adversary party with respect to such fact.

STIPULATIONS AND ADMISSIONS OF RECORD IN PROCEEDINGS INVOLVING NUMEROUS PARTIES

The existence or non-existence of a material fact, as made or agreed in a stipulation or in an admission of record, will be conclusively presumed against any party bound thereby, and no other evidence with respect thereto will be received upon behalf of such party, provided:

- (i) Upon Whom Binding. Such a stipulation or admission is binding upon the parties by whom it is made, their privies and upon all other parties to the proceeding who do not expressly and unequivocally deny the existence or non-existence of the material fact so admitted or stipulated, upon the making thereof, if made on the record at a pre-hearing conference, oral hearing, oral argument or by a writing filed and served upon all parties within five days after a copy of such stipulation or admission has been served upon them.
- (ii) Withdrawal. Any party bound by a stipulation or admission of record at any time prior to final decision may be permitted to withdraw the same in whole or in part by showing to the satisfaction of the hearing officer or the agency that such stipulation or admission was made inadvertly or under a bona fide mistake of fact contrary to the true fact and that its withdrawal at the time proposed will no unjustly prejudice the rights of other partie to the proceeding.

FORM AND CONTENT OF DECISIONS

Every decision, whether recommended, initial, tentative or final, shall contain in the following order:

- (i) A correct caption of the proceeding;
- (ii) Description of the nature and status of the decision:
- (iii) Separately identified headnotes of the several points decided;
- (iv) Designation of all parties and counsel to the proceeding;
- (v) A concise statement of the nature and background of the proceeding;
- (vi) A concise statement of the facts but without recitation of the evidence;
- (vii) A concise definition of the issues to be decided;
- (viii) In separately identified paragraphs (which will correspond to the appropriate headnotes) a concise discussion of each issue, the principles involved and the determination made thereof with reasons and precedents relied upon to support the same;
 - (ix) A statement of the rule, order, sanction or relief or the denial thereof to be made in accordance with the decision.

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| Commodity Exchange Authority Packers and Stockyards Act hopertment of Commerce | (1) (2) (3) (4) | x | | | | x | x | | | |
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| | | Subversive | Activities Control Beard. |

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| (1) (2) (3) (4) (5) (6) (7) (8) (10) (11) (12) | 7 CFR § 900.60(b)(2) and 7 CFR § 47.32(b)(2) 17 CFR § 0.11(c)(1) 9 CFR § 202.11(c)(1) 15 CFR § 384.2 14 CFR § 302.11(a) 37 CFR § 302.11(a) 37 CFR § 1.344, .348 20 CFR § 403.713(f) 43 CFR § 1.7 6 CFR § 292.6, .61 20 CFR § 31.21 30 CFR § 401.8(f) | (16) (17) (18) (19) (20) (21) (22) (23) |
| (13) (14) | 47 CFR \$ 1.24 12 CFR \$ 308.2(b) | |
| (15) | 46 CFR § 201.29 | |

^{(17) 12} CFR § 263.1(b)
(18) 45 CFR § 500.5
(19) 4 CFR § 1.7
(20) 25 CFR § 503.38
(21) 49 CFR § 1.13
(22) 29 CFR § 102.44
(23) "[M]isconduct [at any hearing before a trial examiner or before the goard] of an aggravated character, when engaged in by an attorney or other representative of a party, shall be grounds for suspension or disbarment..."
29 CFR § 102.44(b)

²⁹ CFR \$ 102,44(b)

FED AGENCY RULES ON ADMISSION AND DISCIPLINE OF ATTORNEYS*

sion.

ctice by Attorneys. Any person who is a megood standing of the bar of the Supreme the United States or of the highest court of territory, or of the District of Columbia, tunder any order of any court suspending, restraining, disbarring, or otherwise relief in the practice of law, may represent fore the agency.

nature to Constitute Certificate. When a citing in a representative capacity appears a or signs a paper in practice before this this personal appearance or signature shall a representation to the agency that under a signal of these regulations and the law he is and qualified to represent the particular whose behalf he acts. Further proof of a authority to act in a representative capacity equired.

in any matter before [name of agency] is ated by an attorney-at-law and that fact has de known in writing to the agency, any notice written communication required or permitted wen to or by such participant shall be given to such attorney. Where any other method of is specifically provided by statute, service so be made as so provided. If a participant is need by more than one attorney, service by or one of such attorneys shall be sufficient.

recognized that non-lawyers are admitted to practice before a number and that there should be admission and disciplinary procedures to them. This suggested uniform rule, does not attempt to deal with an However, it is believed that it can be adapted to meet the special at 3 of each agency.

II. Disqualification and Suspension.

- (a) The Agency may disqualify, temporarily or permanently, from practice before it any attorney who it finds, after notice and opportunity for hearing, does not meet the requirements for admission to practice set forth in Sec. I above, has been disqualified, suspended, or disbarred by any other agency of the Federal Government, is guilty of unethical or unprofessional conduct, or is not qualified to represent others before the Agency. A person disqualified to practice before the Agency will not be recognized in a representative capacity during the period of disqualification in any matter before the Agency.
- (b) Contemptuous conduct by an attorney at any hearing before the Agency shall be ground for summary suspension and exclusion from further participation in the proceeding without notice or opportunity for hearing.

III. Procedures for Discipline of Attorneys.

- (a) Whenever an officer or employee of the agency has reason to believe that an attorney representing others before the agency has violated any provision of these rules, he shall promptly make a written report thereof to the General Counsel.* The General Counsel shall also receive complaints from attorneys, parties or members of the public. The General Counsel either on the basis of such information or upon his own motion where he has cause to believe that an attorney has violated any provision of these rules shall promptly authorize an investigation of such charges or complaints. After investigation, the General Counsel may decline to take further action on any complaint or he may initiate formal disciplinary proceedings.
- (b) If the General Counsel determines that formal disciplinary proceedings should be instituted, he shall file with the agency a complaint in which he shall set

^{*}As herein used, the term "General Counsel" applies to the Chief Legal fficer of the agency concerned,

forth with clarity and specificity the nature of the misconduct complained of. The General Counsel shall cause a copy of the complaint to be personally served on the respondent or have a copy dispatched by registered mail to his last known address.

- (c) The respondent shall have ten days after receipt of such complaint to file with the agency an answer thereto. The answer shall include a specific admission or denial of each of the allegations of the complaint. The respondent may not challenge the complaint by demurrer or motion but he may incorporate in his answer the objection that the agency does not have jurisdiction or the objection that the acts or omissions alleged in the complaint do not constitute misconduct which would warrant the imposition of discipline, and, if he desires, the respondent may request a hearing before the agency and such hearing shall be held within sixty days after the receipt of the request therefor.
- (d) Respondent shall be deemed to be in default if he shall fail to file an answer or to appear at the hearing, notice of the time and place of which having been given to him in writing by the agency not less than 10 days prior thereto.
- (e) The General Counsel shall prosecute the charges stated in the complaint at the hearing held thereon.
- (f) The hearing shall be held before the agency or one or more members of the body which comprises the agency as the agency shall determine. The hearing shall not be open to the public unless requested by the respondent. The respondent may be represented by counsel at the hearing, may offer testimony of witnesses and other evidence in his behalf, cross-examine witnesses, and shall enjoy such ether procedure as are previded for by agency rule for other hearings before the agency.

A record of evidence introduced at the hearing shall be kept and the respondent shall have the opportunity to inspect it.

- (g) To warrant a finding of misconduct in contested cases, the charges must be established by a preponderance of the evidence, and, in cases where the respondent defaults, by prima facie evidence.
- (h) The agency after full consideration of the record in the case may, by appropriate order, (1) disqualify, temporarily or permanently, the respondent from practice before it or (2) dismiss the charges against him. As soon as practicable after the conclusion of the hearing, the agency shall enter its order stating its findings of fact, conclusions, and disposition of the charges. A copy of the order of the agency shall be furnished the respondent.
- (i) If the agency orders the respondent to be disqualified, temporarily or permanently, --
 - (1) a copy of such order shall be published in the Federal Register;
 - (2) a copy of such order shall be sent to the appropriate authorities in the State, territory, or the District of Columbia from which the respondent derived his license to practice law. A transcript of the record shall be made available upon payment of cost to such authorities upon their request. The agency shall also notify such authorities of the termination of such disqualification.